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1934

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Washington, Saturday, December 22, 1945

The President

EXECUTIVE ORDER 9664

CONTINUING THE WORK OF THE FAIR EMPLOYMENT PRACTICE COMMITTEE

By virtue of the authority vested in me by the Constitution and statutes, it is hereby ordered as follows:

The duties and responsibilities imposed upon the Committee on Fair Employment Practice by Executive Order 8802, dated June 25, 1941, as amended by Executive Order 8823 of July 18, 1941, and by Executive Order 9346 of May 27, 1943, shall be continued thereunder for the period and subject to the conditions stated in the National War Agencies Appropriation Act, 1946, (Public Law 156, 79th Congress, 1st Session, approved July 17, 1945).

As a part of its duties the Committee shall investigate, make findings and recommendations, and report to the President, with respect to discrimination in industries engaged in work contributing to the production of military supplies or to the effective transition to a peacetime economy.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 18, 1945.

[F. R. Doc. 45-22817; Filed, Dec. 20, 1945; 4:06 p. m.]

Regulations

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 388]

PART 402—LOANS AND PROPERTIES

INSURING PROPERTIES

Amending Part 402, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.15-1 (10 F.R. 8426) is amended by adding a second paragraph as follows:

§ 402.15-1 *Insuring properties.* * * *

All properties owned in fee by the Corporation, properties in which the Corporation is mortgagee in possession, properties where, as a result of foreclosure proceedings by court action,

judgment of foreclosure and sale has been rendered in favor of the Corporation, or where sale has been made to the Corporation under power of sale, may be insured against liability resulting from bodily injury under an Owners', Landlords' and Tenants' liability policy, but not including properties sold by the Corporation subject to existing installment or land contracts or leases with option to purchase.

Effective: December 20, 1945.

(Secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U.S.C. and Sup. 1463; E.O. 9070 (7 F.R. 1529))

[SEAL]

J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45-22815; Filed, Dec. 20, 1945; 3:23 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 230, 59 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33]

§ 944.54 *Priorities Regulation 33—(a) What this regulation does.* This regulation sets up the Reconversion Housing Program of the Civilian Production Administration. It is designed to assist private builders, educational institutions and others to build moderate cost housing accommodations to which veterans of World War II will be given preference, by giving an HH preference rating for certain building materials for the construction. The regulation describes the methods of applying for the HH rating, the circumstances under which the rating will be assigned, the materials for which it will be given and the conditions imposed on the builder and succeeding owners in selling or renting the accom-

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NOTICE

1944 Supplement

The following books of the 1944 Supplement to the Code of Federal Regulations are now available from the Superintendent of Documents, Government Printing Office, at \$3 per copy:

Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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¹ See Title 43, Public Land Order 304.

² See E.O. 9664.

modations as long as this regulation is in force. Assistance will also be given under the regulation for the conversion of existing buildings which will provide additional habitable housing accommodations at moderate prices or rents. Veterans of World War II who wish to build houses for their own occupancy

may apply under this regulation, subject to the restrictions of this regulation.

(b) *Applications.* A person who wishes to build, complete or convert moderate cost housing accommodations under the Reconversion Housing Program may apply on an appropriate CPA form to be announced later, for an HH preference rating for materials of the kinds listed on Schedule A which are needed for the project. The application should be filed with the appropriate State or District Office of the Federal Housing Administration. Applications should not be filed unless construction is already under way or the builder plans to start actual construction within 60 days of the issuance of the rating (the ratings will expire and orders already placed must be unrated unless construction has started within 60 days of the issuance of the rating or an extension has been obtained from the Federal Housing Administration). The application should not be filed unless the builder has already obtained effective control of the land involved, and gives evidence of readiness to start within 60 days (for example, by getting necessary building permits, getting assurance of financing, making arrangements for utilities and the like). The builder will also be required to state sales prices or rents for the accommodations, which must be within the limits stated in paragraph (g). Application forms will not be available and applications will not be processed before January 15, 1946.

(c) *Issuance of ratings.* If the application satisfies the requirements indicated in paragraph (b), if the proposed sales price or rents are reasonably related to the proposed accommodations, and if the available supply of building materials reserved for this program has not been fully committed, the FHA will authorize the use of the HH preference rating for the project as indicated in paragraph (d). One copy of the application will be returned to the builder, bearing a project serial number. The FHA will also send to the builder a placard, or placards, stating that the housing accommodations are being built under the Reconversion Housing Program, that they will be rented or sold at or below the amounts stated in the applications, and that they will be made available to veterans in preference to other persons. A placard must be put up in front of each separate building on the project site in a conspicuous location and must be left there until completion of the building and for 30 days afterwards, unless all the accommodations in the building have been sold or rented to veterans in accordance with paragraph (g). The ratings may not be applied to purchase orders until after the placard has been placed on the site of the project.

(d) *Use of HH ratings.* (1) When the FHA has assigned the HH rating to a project and when the builder has posted the placard on the project site, he may use the rating to get materials of the kinds listed on schedule A of this regulation which are required for the project. The rating may be applied to a purchase order only by placing on the order the following certificate (the standard cer-

tificate in Priority Regulation 7 may not be substituted for this certificate):

RECONVERSION HOUSING PROGRAM

Project Serial Number _____

Rating: HH

I certify to the Civilian Production Administration that the materials covered by this order will be used only in a housing project being built under the Reconversion Housing Program at _____ (give location of project), and that I will comply with the limitations on sales prices or rents and the preference to veterans provided in Priorities Regulation 33 and my approved application.

Builder

(2) The preference rating assigned may be used only to get the minimum quantities of the materials on Schedule A which are needed for the project. The builder must not specify delivery dates on purchase orders for rated materials more than 30 days before the time they are to be incorporated in the project. This provision applies to materials ordered with an HH rating, instead of the usual rule in Priorities Regulation 32. In accordance with Priorities Regulation 1, materials obtained by using the HH rating must, if possible, be used in the construction of the project.

(3) Priorities Regulation 1 explains what the effect of an HH rating is. The HH rating may be extended by a dealer or distributor in the way set forth in Priorities Regulation 3, except that HH ratings may not be extended by manufacturers of the items listed on Schedule A to persons who supply them with the raw materials or components from which the items are made. For example, HH ratings may be applied or extended to manufacturers of gypsum board or gypsum lath to get the board or lath, but the manufacturer of the board or lath may not extend the HH rating to get paper to make the board or lath. Exceptions to this general rule may be made in directions to Priorities Regulation 33.

(4) The right to use the HH rating for a project expires 60 days after the issuance of the rating, unless the builder has begun construction on the project by physically incorporating at the site of the project materials which will be an integral part of the construction. If the builder has not begun construction within this time, he must unrate all orders for materials for the project to which he has applied the HH rating. If the application covers a number of different buildings, the right to use the rating for materials going into any individual building expires unless that particular building has been started within the 60 day period. However, before the expiration of the 60 day period, he may apply to the Federal Housing Administration for an extension of the starting date, showing why he was unable to begin construction in accordance with his original application and giving his revised starting date. Unless the request for an extension is denied, he need not unrate his orders but he must postpone the delivery dates so as to comply with paragraph (d) (2).

(e) *Construction of the project.* A builder who uses the HH rating to get materials for housing accommodations

must construct them in accordance with the description given in the application, except where he has obtained from the Federal Housing Administration approval for a change from the application.

(f) *Reports.* All persons affected by this regulation shall file such reports as may be requested by the CPA, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Maximum sales prices and rents—*

(1) *One-family dwellings.* (i) An application for a one-family dwelling (a building designed for occupancy by one family and to be rented or sold as a unit) must contain statements of both the proposed maximum sales price and the proposed maximum shelter rent, regardless of whether the builder proposes to sell or rent the dwelling. The application will not be approved if the maximum sales price is over \$10,000 or if the maximum shelter rent is over \$80 a month.

(ii) As long as this regulation remains in effect, no person (whether the builder or any other owner) shall sell a one-family dwelling built or converted under the Reconversion Housing Program (where a builder has used an HH rating to get materials for the building or converting) for more than the maximum sales price specified in the application as approved plus normal broker's fees or commissions actually incurred for services rendered at the purchaser's request and which a buyer of real estate customarily assumes in the community where the dwelling is located, or rent such a dwelling for more than the maximum shelter rent specified in the application as approved.

(2) *Multiple-family dwellings.* (i) An application for a multiple-family dwelling (a building containing two or more separate living accommodations for two or more families) must contain a statement of the maximum shelter rent proposed for each apartment, or for each group of apartments having the same maximum shelter rent. The application will not be approved if the maximum shelter rent is over \$80 per month for any apartment.

(ii) As long as this regulation remains in effect, no person (whether the builder or any other person) shall rent an apartment in a multiple-family dwelling built under the Reconversion Housing Program (where a builder has used an HH rating to get materials for the construction or conversion) for more than the maximum shelter rent specified in the application as approved.

(3) *Dormitories and group housing facilities.* (i) An application by an educational institution or public organization for a dormitory or group housing facility must contain a statement of the maximum shelter rent to be charged to each occupant. The application will not be approved if the maximum shelter rent proposed is more than the amount charged by the builder for similar accommodations in its other facilities.

(ii) As long as this regulation remains in effect, no person (whether the builder or any other person) shall rent accommodations in a dormitory or other group housing facility built under the Recon-

version Housing Program (where the builder has used an HH rating to get materials for the construction or conversion) for more than the maximum shelter rent specified in the application as approved.

(4) *Definition of maximum sales prices and rents.* "Maximum sales price" means the total consideration paid by the buyer for the dwelling including the land and all improvements, excluding only those incidental charges, such as brokerage fees or commissions, which a buyer of real estate customarily assumes in the community where the dwelling is located and which have actually been incurred for services rendered at the buyer's request. "Maximum shelter rent" means the total consideration paid by the tenant to the landlord for the accommodations excluding only charges paid by the tenant for such tenant services as are approved on the application. The total charge for tenant services will not be approved if more than \$3 per room per month. Approval by the Federal Housing Administration of a proposed sales price or rent should be considered merely as a limit upon the price or rent to be charged. It should not be considered as a statement that the sales price or rent represents the value of the dwelling or the apartment for other purposes. In the case of remodeling or rehabilitation, the Office of Price Administration may reduce the maximum rent specified in the application, unless prior approval of the rent has been obtained from that agency.

(5) *Requests for increases in sales prices and rents.* A builder may apply to the Federal Housing Administration for an increase in the sales price or rent specified in the application before the house is sold or initially rented. The application will not be approved unless he can show that he has incurred or will incur additional or increased costs in the construction over which he had, or has, no control, or if he can show that he will incur additional or increased costs in the operation of rented accommodations over which he has no control, and that these increased or additional costs will make it impracticable for him to sell or rent at the price or rent specified in the application. No increase in sales price or rent will be granted in excess of the increase in construction cost, or a proper proportion of it, or the increase in operating cost, as the case may be. However, no increase in sales price to an amount more than \$10,000 will be granted and no increase in shelter rent to more than \$80 a month will be granted except on appeal where unusual hardship would result.

(6) *Preferences for veterans of World War II—*(1) *Single family dwellings.* (i) A builder who has used the HH rating to get materials for a single-family dwelling must publicly offer it for sale or for rent at or below the maximum sales price or the maximum rent given in the application to veterans of World War II for their own occupancy, during construction and for 30 days afterwards. (While the preference for veterans lasts during construction and for 30 days after completion, or for 30 days at the time of a resale or subsequent renting, the

restrictions of paragraph (g) on prices and rents continue as long as this regulation is in effect). A veteran of World War II means a person who has served in the U. S. Army, Navy, Coast Guard or Marine Corps, or in the U. S. Merchant Marine during World War II and who was discharged under conditions other than dishonorable.

(ii) As long as this regulation remains in effect, if a single-family dwelling built under the Reconversion Housing Program is being offered for sale, the owner (whether the builder or any subsequent purchaser) must not sell or otherwise dispose of it to any person other than a veteran of World War II unless he has publicly offered it for sale to such veterans for at least 30 days (or during construction and for 30 days afterwards in the case of the builder) at or below the maximum sales price.

(iii) As long as this regulation remains in effect, if a single-family dwelling built under the Reconversion Housing Program is being offered for rent, the owner (whether the builder or any subsequent purchaser) must not rent it to any person other than a veteran of World War II unless he has publicly offered it for rent to such veterans for at least 30 days (or during construction and for 30 days afterwards in the case of the builder) at or below the maximum rent.

(2) *Multiple-family dwellings.* (i) As long as this regulation remains in effect, a builder who has used the HH rating to get materials for a multiple-family dwelling must publicly offer the apartments in it for rent to veterans of World War II during construction and for 30 days after completion at or below the maximum given in the application.

(ii) As long as this regulation remains in effect, no other person shall rent an apartment in a multiple-family dwelling built under the Reconversion Housing Program to any person other than a veteran of World War II unless he has publicly offered the apartment for rent to such veterans for at least 30 days (or during construction and for 30 days after completion) at or below the maximum rent specified in the application.

(3) *Dormitories and group housing facilities.* As long as this regulation remains in effect, a builder who has used the HH rating to get materials to build a dormitory or other group housing facility, must make the accommodations available exclusively for veterans of World War II otherwise eligible to occupy the accommodation, except that if an educational institution builds a dormitory under this program it may make available to non-veterans 40% of the accommodations in the dormitory if it makes available to veterans of World War II similar or better accommodations in other dormitories at rents not larger than the rents specified in the application as approved. This may only be done, however, if the Federal Housing Administration specifically approves it. An educational institution which wishes to avoid segregation of veterans should attach to its application a letter stating the number of the accommodations in the proposed dormitory it wishes to make available to nonveterans, and describe the accommodations in regular dormi-

tories which will be made available to veterans.

(i) *Notices in advertisements and deeds.* (1) As long as this regulation remains in effect, a builder who has used the HH rating to get materials for a dwelling and every other person who has acquired title to such a dwelling must include a statement in substantially the following form in any deed, conveyance or other instrument by which the dwelling is sold, transferred or mortgaged to any other person:

The building on the premises hereby conveyed was built (converted) under the Reconversion Housing Program of the Civilian Production Administration under Priorities Regulation 33 (Builder's Serial No. —) and an HH rating was used to get materials for the construction. Under that regulation, a limit is placed on the sales price and rent for the premises (or in the case of a multiple-family dwelling "on the rents for apartments in the premises") and preferences are given to veterans of World War II in selling or renting. As long as that regulation remains in effect, any violation of these restrictions by the grantee or by any subsequent purchaser will subject him to the penalties provided by law. The above is inserted only to give notice of the provisions of Priorities Regulation 33 and neither the insertion of the above nor the regulation is intended to affect the validity of the interest hereby conveyed.

(2) As long as this regulation remains in effect, the builder and every subsequent owner, and their agents and brokers, must include a statement in substantially the following form in any advertisement printed or published in which accommodations built under the Reconversion Housing Program are offered for sale or for rent.

This House (apartment) is being (was) built under the Reconversion Housing Program of CPA for sale (for rent) at or below \$_____ (insert maximum sales price or rent). It is offered for sale (for rent) only to veterans of World War II during construction and until 30 days after completion (for the next 30 days in the case of sale or rent after initial occupancy).

(j) *Transfer of ratings forbidden.* No person to whom an HH rating has been assigned shall transfer the rating to any other person (as distinguished from applying the rating to purchase orders) and any transfer attempted is void. If for any reason a builder wishes to abandon a project and another builder wishes to continue with the project, the new builder should apply to the appropriate FHA office, attaching to his application a letter from the former builder or the representatives of the former builder joining in the request for the assignment of ratings to the new builder.

(k) *Appeals.* Any person affected by this regulation who considers that compliance with its provisions would result in an exceptional and unreasonable hardship on him may appeal for relief. The appeal should be filed with the appropriate State or District office of the Federal Housing Administration.

(l) *Communications.* All communications concerning this regulation should be addressed to the CPA, Washington 25, D. C., Ref: PR-33, except that inquiries as to specific applications should be addressed to the appropriate

State or District office of the Federal Housing Administration.

(m) *Violations.* Any person who willfully violates any provision of this regulation or who, in connection with this regulation, willfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Effective date.* This regulation is effective January 15, 1946.

Issued this 20th day of December 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-22823; Filed, Dec. 20, 1945;
4:52 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Schedule A]

The HH rating assigned under PR-33 may be used only to get the following materials (additions to and deletions from this schedule may be made from time to time):

Common and face brick
Clay sewer pipe
Structural tile
Gypsum board
Gypsum lath
Cast iron soil pipe and fittings
Cast iron radiation
Bathtubs
Lumber
Millwork

Issued this 20th day of December 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-22831; Filed, Dec. 20, 1945;
4:52 p. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[MPR 580, Amdt. 4 to Gen. Retail Order 3¹]

MODIFICATION OF CEILING PRICES FOR CERTAIN ARTICLES

An opinion accompanying this Amendment 4 to General Retail Order No. 3 under section 23 of Maximum Price Regulation 580, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Retail Order No. 3 under section 23 of Maximum Price Regulation 580 is amended in the following respects:

1. Section 1 is amended by inserting in the third sentence the words "Unless otherwise directed in this order," before the words "you must use".

¹ 10 F.R. 3315, 3488, 3642, 4236, 4494, 4611, 9962.

² 10 F.R. 12603.

2. Note 2 of section 2 (a) is amended by deleting the words "subparagraph (4)" and substituting therefor the words "subparagraphs (4) and (5)" followed by a comma.

3. Section 2 (a) (4) is amended by adding the following sentence: "However, this order does not apply to the pricing of any of these articles if their ceiling prices are established under orders issued pursuant to Section 13 of Maximum Price Regulation 580."

4. Subparagraphs (5), (6) and (7) are added to section 2 (a) to read as follows:

- (5) Oilcloth.
- (6) Gauze diapers.
- (7) Flannelette diapers and types 1, 2 and 3 of birdseye nursery products.

5. Subdivisions (v) (vi), and (vii) are added to section 2 (b) (1) to read as follows:

Article:	Markup on net cost (percent)
(v) Oilcloth	48.1
(vi) Gauze diapers	41.2
(vii) Flannelette diapers and types 1, 2 and 3 of birdseye nursery prod- ucts	37.0

This amendment shall become effective January 15, 1946, except as to item 3 which shall become effective December 20, 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22819; Filed, Dec. 20, 1945;
4:34 p. m.]

Chapter XXIII—Surplus Property Administration

[SPA Reg. 5, Order 7]

PART 8305—SURPLUS NONINDUSTRIAL REAL PROPERTY

AUTHORITY TO FEDERAL WORKS AGENCY TO
NEGOTIATE A LEASE FOR FIVE YEARS WITH
OPTION TO PURCHASE FOR CERTAIN INSTI-
TUTIONAL PROPERTY IN SOUTH CAROLINA

The Walterboro Army Air Base, Walterboro, South Carolina, consists of approximately 2,600 acres of land. Of this property, approximately 600 acres (formerly a public airport) are leased by the War Department from the Town of Walterboro and County of Colleton, South Carolina. The remaining 2,000 acres are owned by the United States and are under the control of the War Department, as owning agency. Since acquisition by the United States, the 2,000 acres have been improved with a fully-equipped hospital, sewage disposal plants, water works and other utilities, barracks and other housing, and expanded airport facilities. The sewage disposal plants and utilities serve the entire installation.

The Walterboro Army Air Base has been declared surplus by the War Department and is institutional real estate properly assignable to the Federal Works Agency for disposition.

The Town of Walterboro and the County of Colleton wish to acquire all Government-owned land and improvements included in the installation. A temporary use permit has been issued by the War Department to said Town and County covering the 600 acres of leased land. The said Town and County have stated that they desire to obtain immediate possession of all of the Government-owned land and improvements on a temporary basis, and as soon as possible thereafter to enter into a five-year lease thereof with an option to purchase. The said Town and County represent that: (1) there is urgent and immediate need for increased hospital facilities and veterans housing in the area surrounding Walterboro Air Base; (2) since the utilities located on the Government-owned land serve the entire installation, it is desirable that the entire property be considered as a unit; (3) they have funds available for the care, maintenance and improvement of the property; and (4) they do not have funds immediately available with which to make immediate purchase of the property, but wish to make a lease of the property with option to purchase in order to protect their investment in the property.

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611) and Public Law 181, 79th Congress; *It is hereby ordered*, That: Notwithstanding the provisions of §§ 8305.11(d) and 8305.12(c), (d), (e) and (g), the Federal Works Agency, after having given ten (10) days written notice of availability to all Government agencies listed in Exhibit B, who have not previously in writing declined to make an offer for the properties above described, and after having given public notice of availability in a newspaper published or having general circulation in the county in which said property is located for a period of ten (10) days, is hereby authorized, in the absence of an acceptable proposal from a holder of a higher priority or a proposal from any State or local government having a priority equal to that of the Town of Walterboro and County of Colleton, South Carolina, but not showing a greater need, to negotiate the terms of a proposed lease for a period of five (5) years with the representatives of the Town of Walterboro and County of Colleton, South Carolina, for the purposes indicated hereinabove, with an option to acquire title to the properties. The terms and conditions upon which the Federal Works Agency proposes to execute such lease and such option, together with all supporting evidence, certificates and other pertinent papers in compliance with the provisions of § 8305.12 (h) (5), shall be filed with the Administrator for consideration and direction.

This order shall become effective December 18, 1945.

W. STUART SYLINGTON,
Administrator.

DECEMBER 18, 1945.

[F. R. Doc. 45-22816; Filed, Dec. 21, 1945;
11:30 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

INSPECTION AND CONTROL OF VESSELS IN CANAL ZONE WATERS

Section 4.187, as amended (35 CFR, 1944 Supp. 4.187), establishing restricted areas at the Pacific and Atlantic entrances to the Panama Canal, is revoked. (40 Stat. 220; 50 U.S.C. 191; Proc. 2412 of June 27, 1940)

J. C. McHAFFEY,
Governor.

NOVEMBER 29, 1945.

Approved: December 15, 1945.

HARRY S. TRUMAN,
President.

[F. R. Doc. 45-22335; Filed, Dec. 21, 1945;
12:18 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 304]

UTAH

REVOKING IN PART EXECUTIVE ORDER DATED
JULY 7, 1910, CREATING COAL LAND WITH-
DRAWAL, UTAH, NO. 1

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order dated July 7, 1910, creating coal land withdrawal, Utah No. 1, is hereby revoked as to the following described lands:

SALT LAKE MERIDIAN

CLASSIFIED COAL LANDS

T. 38 S., R. 13 W.,
Sec. 5, lots 3, 4, 5, 6, S½NW¼, SW¼;
Sec. 8, NW¼;
Area, 683.43 acres.

CLASSIFIED NONCOAL LANDS

T. 38 S., R. 13 W.,
Sec. 1, all;
Sec. 2, all;
Sec. 3, all;
Sec. 4, all;
Sec. 5, lots 1, 2, 7, 8, 9, 10, 11, SW¼NE¼,
W½SE¼;
Sec. 6, all;
Sec. 7, all;
Sec. 8, lots 1, 2, 3, 4, W½E½, SW¼;
Sec. 9, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13;
Sec. 10, lots 1, 2, 3, 4, 5, 6, 7, 8;
Sec. 11, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, NW¼;
Sec. 12, lots 1, 2, 3, 6, 7, E½NW¼, NW¼,
NE¼;
Sec. 17, all;
Sec. 18, all;
Sec. 19, all;
Sec. 20, all;
Sec. 21, lots 1, 2, 3, 4, 5, 6;
Sec. 25, lots 1, 2, 3, 4;
Sec. 27, lots 1, 2, 3, 4, 5, 6, 7, 8;
Sec. 28, all;
Sec. 29, all;
Sec. 30, all;
Sec. 31, all;
Sec. 32, all;

Sec. 33, all;
 Sec. 34, all;
 Sec. 35, all;
 Sec. 36, all.
 Area 16,299.87 acres.

The area described, including public and nonpublic lands, aggregate 16,883.36 acres.

ABE FORTAS,

Acting Secretary of the Interior.

DECEMBER 13, 1945.

[F. R. Doc. 45-22824; Filed, Dec. 21, 1945;
 9:54 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 147]

E. L. BIBINGER CO.

FINDING AS TO CONTRACT IN PROSECUTION OF THE WAR

In the matter of E. L. Bibinger Co., New York, New York. Case No. S-3815.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving E. L. Bibinger Co., New York, New York,

I find that the transportation by motor and installation of refrigeration equipment by E. L. Bibinger Co., New York, New York, pursuant to contracts with manufacturing concerns, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 20th day of December 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-22825; Filed, Dec. 21, 1945;
 9:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5464]

DORA E. STROUD

Estate of Dora E. Stroud, deceased; File D-28-9618; E.T. sec. 13307.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Garbs, Gretchen Warkow, Franz Warkow, Dora Warkow Garbs, Arnold Warkow, Karl Warkow, Rose Marie Warkow, Hans Warkow, Paul Warkow, Edward Warkow, Wilhelm Zerck, Max Zerck, Gretchen Mohrmann, Robert Zerck, Peter Zerck, Aline Warkow Zerck, also called Alice Warkow Zerck, Ida Lemoine, and Karl Zerck, and each of them, in and to the Estate of Dora E. Stroud, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrick Garbs, Germany.
 Gretchen Warkow, Germany.
 Franz Warkow, Germany.
 Dora Warkow Garbs, Germany.
 Arnold Warkow, Germany.
 Karl Warkow, Germany.
 Rose Marie Warkow, Germany.
 Hans Warkow, Germany.
 Paul Warkow, Germany.
 Edward Warkow, Germany.
 Wilhelm Zerck, Germany.
 Max Zerck, Germany.
 Gretchen Mohrmann, Germany.
 Robert Zerck, Germany.
 Peter Zerck, Germany.
 Aline Warkow Zerck, also called Alice Warkow Zerck, Germany.
 Ida Lemoine, Germany.
 Karl Zerck, Germany.

That such property is in the process of administration by LeRoy Bailey, Administrator with the Will Annexed, of the Estate of Dora E. Stroud, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Diego;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 6, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-22805; Filed, Dec. 20, 1945;
 2:06 p. m.]

BANK DER DEUTSCHEN ARBEIT, A. G.

[Vesting Order 5473]

In re: Bank account owned by Bank der Deutschen Arbeit, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Bank der Deutschen Arbeit, A. G., the last known address of which is Wallstrasse 65, Berlin S. W. 10, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Bank der Deutschen Arbeit, A. G., by the Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an inactive dollar checking account, entitled Bank der Deutschen Arbeit, A. G., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 10, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-22806; Filed, Dec. 20, 1945;
 2:07 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1548]

ELLIOT COAL MINING CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith under the authority vested in the Price Admin-

istrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120; It is ordered:

(a) Coals produced by strip mining from the following identified mines in District No. 1 which are cleaned and pre-

pared at the preparation plants set opposite the respective mines may be sold and purchased at the applicable maximum prices established by subparagraphs (b) (1) (ii) and (b) (2) (ii) of § 1340.212 of Maximum Price Regulation No. 120 for strip mined coals plus an amount not to exceed 23 cents per net ton:

Producer and address	Mine name	Mine index No.	Location and name of the preparation plant through which the coals are processed	Producer and address	Mine name	Mine index No.	Location and name of the preparation plant through which the coals are processed
Elliot Coal Mng. Co., 8 North Front St., Phillipsburg, Pa.	Curtin #1..... Curtin #2..... Pennsylvania #8..... Pennsylvania #12..... Pennsylvania #6-C..... Casper #3-O..... Red Lands #10.....	5340 5341 5253 5259 5304 5355 5416	Elliot Coal Co. plant at Osceola Mills, Pa., PRR.	Rimersburg Coal Co., 169 Main St., Rimersburg, Pa.	Fox.....	239	Rimersburg Coal Co. plant, Rimersburg, Pa. on PRR.
Red Lands Coal Co., 1617 Pennsylvania Blvd., Philadelphia, Pa.	Lebanon #1.....	4421	Red Lands Coal Co. plant No. 9, PRR and C & I RR.	Earl M. Brown, Clearfield, Pa.	Brown #5.....	3337	Earl M. Brown Plant at Clearfield, Pa. on B & O RR.
Lebanon Fuel Co., Jamison Bldg., Greensburg, Pa.	Florence #1-D..... Florence #1-O..... Florence #1-E..... Florence #2.....	5167 5335 5450 5221	Lebanon Fuel Co. plant No. 1, 2 miles east of West Lebanon, Pa., on B & O RR.	Marsteller Coal Co., c/o Milton Carr Ferguson, 1614 Eye Street, N.W., Washington, D. C.	Hampshire #2.....	5349	When purchased from Marsteller Co. for resale and prepared by Marsteller Coal Co. at Hampshire #9 plant, Hampshire, W. Va.
B. Perini & Sons, Inc., Framingham, Mass.	Stratiff #3.....	854	B. Perini & Sons, Inc., plant 1/2 mile south of Friedens, Pa., on B & O RR.	D. G. Wertz Coal Co., First National Bank Bldg., Greensburg, Pa.	Cortett.....	4305	D. G. Wertz Coal Co. plant West Lebanon, Pa. on B & O RR.
Leeper Coal Co., 506 Plaza Bldg., Pittsburgh 19, Pa.	Glendale #1.....	5103	B. Perini & Sons, Inc., plant at West Lebanon, Pa., B & O RR.	George E. Miller Coal Co., Lewistown, Pa.	Miller & Corbin.....	5421 5423	Coals produced by Miller & Corbin and processed through George E. Miller Co. Plant, Joliet mine at Joliet, Pa. on East Broad Top RR.
H. B. Mellott, c/o Burtner Coal Co., Philadelphia, Pa.	Mountain Top King #1.....	3231 3704	Leeper Coal Co. plant Toltzberg, Pa., on B & O RR.	Comfort Run Coal Co., Osceola Mills, Pa.	Comfort Run #1..... Comfort Run #2..... Comfort Run #3..... Comfort Run #7.....	5355 5357 5358 5419	Comfort Run Coal Co. plant at Flinton, Pa. on PRR.
Williams Coal Mng. Co., Ramey, Pa.	Elba #3.....	272	Broad Top Mng. Co. plant at Riddiestburg, Pa., on H & BT RR.	C & S Coal Co., c/o Milton Carr Ferguson, 1614 Eye St. N.W., Washington, D. C.	Rimer B..... Rimer E..... Rimer #3.....	5331 5332 5374	C & S Coal Co. plant at Rimersburg, Pa. on PRR.
Elba Coal Co., Houtzdale, Pa.	Shade #1.....	291	Williams Coal Mng. Co. plant at Beccaria, Pa., on PRR.	Bradford Coal Co., c/o R. S. Walker, Bigler, Pa.	Casper Smokeless #2..... Militant Smokeless #1..... Walker Smokeless #2.....	5375 5157 5009	Bigler plant at Bigler, Pa. on PRR.
Shade Coal Mng. Co., 1723 Oliver Bldg., Pittsburgh, Pa.	Oak Ridge #4.....	3396	Elba Coal Co. plant 1 mile northeast of Beccaria, Pa., on PRR.	Spencer & Monk, P. O. Box 217, Punksutawcy, Pa.	Henary Strip..... Elliot Strip..... Martin #1.....	5223 5227 1311	Anita Coal Mng. Co. at Bedfordville, Pa.
McGraw & Bindley, 1723 Oliver Bldg., Pittsburgh 22, Pa.	Pine Run #1.....	5053	McGraw & Bindley plant, Oak Ridge #4, 1/2 mile east of Hastings, Pa., on PRR.	Russell Mining Co., c/o A. K. Albano & Co., Colonial Bldg., Philadelphia, Pa.			Russell Mng. Co. plant at Millard, Md.
River Smokeless Coal Co., 9 Country National Bank Bldg., Clearfield, Pa.	Garman #1..... Garman #2..... Garman #3..... Garman #7..... Florence #1..... Florence #2.....	5035 5039 5571 5570 5113 5114	River Smokeless Coal Co. plant, Pine Run #1, 1/2 miles east of Irwona, Pa., on PRR.	Davis Coal & Coke Co., Keyser Bldg., Baltimore, Md.	Pendleton #21.....	523	Davis Coal & Coke Co. plant at Thomas, West Virginia on WVI RR.
Garman Coal Co., Barnesboro, Pa.	Hubler..... Warquier..... Warquier #2..... Hercules.....	5618 821 5093 644	Garman Coal Co. plant, 1/2 mile north of Barnesboro, Pa., on PRR.	F. B. Wood Coal Mining Co., c/o Milton Carr Ferguson, 1614 Eye St. N.W., Washington, D. C.	Beaulier..... Festung #1..... Pine Ridge #1..... Pine Ridge #4..... Pine Ridge #3..... Pine Ridge #2..... Pine Ridge #5..... Pine Ridge #7..... Pine Ridge #3.....	323 5335 5470 5705 5704 5705 5612 5613 5614	Beaulier K. Wood plant at Hastings, Pennsylvania.
New Florence Coal Co., 9 County National Bank Bldg., Clearfield, Pa.			V. Warquier & Son plant, 1/2 mile west of Hyde, Pa. on PRR.	Isabella K. Wood, c/o Milton Carr Ferguson, 1614 Eye St. N.W., Washington, D. C.	Bellwood #2.....	5350	
Burton L. Hubler, V. Warquier & Son, 131 West 5th Ave., Clearfield, Pa.			Grasso Coal Mng. Co. plant, Strattonville, Pa., Lake Erie, Franklin & Clarion RR.	Bellwood Coal Co., c/o Milton Carr Ferguson, 1614 Eye St. N.W., Washington, D. C.	Red Top E..... Cymbria #2..... Cymbria E.....	5345 535 5355	Butterworth Fuel Co., Cymbria plant 1, mile east of Barnesboro, Pa., on PRR.
Grasso Coal Mng. Co., 511 Main St., Brockway, Pa.	P & G.....	604	P & G Coal Co. plant at Holden, Pa., Lake Erie, Franklin & Clarion RR & Sutton, Pa.; on NYO RR.	McCormick Coal Co., Barnesboro, Butterworth Fuel Co.			
P & G Coal Co., Citizens Bank Bldg., Brockway, Pa.							

(b) The prices established by this order shall be the maximum prices for coals described herein for so long as present quality and preparation standards are maintained; as described in § 1340.212 (c) (1), otherwise the prices shall be those established for strip mines by subparagraphs (b) (1) (ii) and (b) (2) (ii) of § 1340.212.

(c) All invoices in connection with the sale of strip mined coal priced under this order shall state that the price charged was established by Order No. — under Maximum Price Regulation No. 120 of the OPA.

(d) The following orders issued under § 1340.212 (c) Maximum Price Regulation No. 120 are hereby revoked: Order Nos. L-394; L-395; L-396; L-397; as amended; L-398; L-399; L-400; L-402; L-403; L-404; L-412; L-413; as amended; L-418; L-419; L-422; L-436; L-439;

L-464; L-414, as amended; L-468; L-474; as amended; L-498; L-503; L-504; L-512; L-513; L-515; L-517.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective December 19, 1945.

Issued this 19th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22759; Filed, Dec. 19, 1945;
4:36 p. m.]

[SO 133, Order 12]

HY-LAN FURNITURE CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed

with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, it is ordered:

(a) *Manufacturers' maximum prices.* Hy-lan Furniture Company, Inc., Hickory, North Carolina, may increase its maximum prices, as adjusted by Order No. 1052 issued under § 1499.159 (b) of Maximum Price Regulation No. 188, in effect immediately prior to the issuance of this order, for sales to each class of purchaser of the dining room furniture which it manufactures, by three and three tenths (3.3) percent. This additional adjustment shall not be separately stated on the invoice; although the adjustment charge permitted by paragraph (d) of Order No. 1052 must continue to be separately stated.

(b) *Maximum prices of purchasers for resale.* This paragraph sets forth the methods by which persons purchasing

the articles referred to in paragraph (a) shall determine their maximum resale prices.

(1) A retailer who must determine his ceiling prices under Maximum Price Regulation No. 580 by the use of a pricing chart shall compute his ceiling prices in the manner provided by that regulation.

(2) A wholesaler who must determine his ceiling prices under Maximum Price Regulation No. 590 shall find his ceiling prices in the manner provided in that regulation.

(3) A purchaser for resale who must determine his maximum prices under the General Maximum Price Regulation, and who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, shall calculate his ceiling price according to the method and procedure set forth in that section by using as his cost his invoice cost but not including any separately stated adjustment chart. To the price so computed a wholesaler may add the adjustment charge permitted by Order 1052 under Maximum Price Regulation No. 188 in the manner and amount provided in that order.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; However, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(4) If a purchaser for resale cannot determine his ceiling price under the above method, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulations.

(d) *Notification.* At the time, or prior to, the first invoice to a purchaser for resale showing a maximum price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Reports.* Hy-lan Furniture Company, Inc., shall file the report described in section 5 of Supplementary Order No. 133 with the Office of Price Administration, Washington 25, D. C.

(f) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(g) *Effective date.* This order shall become effective on the 21st day of December 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22803; Filed, Dec. 20, 1945;
11:53 a. m.]

[MPR 86, Order 28]

BARTON CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Maximum Price Regulation No. 86, *It is ordered:*

(a) This order establishes ceiling prices for sales of 13 models of wringer type washing machines listed below, manufactured by the Barton Corporation, West Bend, Wisconsin.

(1) Distributors shall determine their ceiling prices for sales to dealers of each of the models listed in subparagraph (2) below in accordance with the provisions of section 15 of Maximum Price Regulation No. 86.

(2) The ceiling price for sales by dealers in each zone for the models listed below are as follows:

Article	"Barton" model	Dealers' ceiling prices to consumers		
		Zone 1	Zone 2	Zone 3
Wringer-type washing machine.....	10	\$39.95	\$44.95	\$49.95
	20	49.95	54.95	59.95
	31	54.95	59.95	64.95
	R-41	59.95	64.95	69.95
	R-61	69.95	74.95	79.95
	R-61-S	79.95	84.95	89.95
	C-61	79.95	84.95	89.95
	C-61-S	89.95	94.95	99.95
	C-71-S	99.95	104.95	109.95

Article	"White-house" model	Dealers' ceiling prices to consumers		
		Zone 1	Zone 2	Zone 3
Wringer-type washing machine.....	10	\$39.95	-----	-----
	31	49.95	-----	-----
	R-61	59.95	-----	-----
	C-61-S	69.95	-----	-----

If the washing machine is equipped with a water pump, \$10.00 may be added to the ceiling price for the machine shown in the above table.

If the washing machine is equipped with a gasoline motor, instead of an electric motor, \$25.00 may be added to the ceiling price for the machine shown in the above table.

In all other respects those ceiling prices are subject to each retail seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) For purposes of this order Zones 1, 2 and 3 comprise the following states:

Zone 1. Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New

Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin.

Zone 2. Alabama, Arkansas, Georgia, Louisiana, Maine, Mississippi, North Dakota, North Carolina, Oklahoma, South Carolina, Zone 3. Arizona, California, Colorado, Florida, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming.

(c) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify the distributor that he shall establish his ceiling prices for resales to dealers in accordance with Section 15 of Maximum Price Regulation No. 86.

(d) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of December 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22794; Filed, Dec. 20, 1945;
11:53 a. m.]

[RMPR 136, Order 565]

ROLL-A-LONG

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to sections 9, 10, and 11 (c) of Revised Maximum Price Regulation No. 136, *It is ordered:*

(a) Roll-A-Long, 124 North La Brea Avenue, Los Angeles 36, California, may sell, f. o. b. plant, each Roll-A-Long trailer, described in subparagraph (2) below, at a price not to exceed the prices contained in subparagraph (1) below, plus federal excise tax, and state and local taxes on its sale or delivery of the trailer and the cost of transporting the trailer to the purchaser, if any.

(1) *Prices.*

Distributors..... \$99.50 less 33.3%.
Dealers..... \$99.50 less 25%.

(2) *Description.*

Tag-A-Long, 550 lbs. capacity one-wheel trailer; 4' long x 4' wide x 18" maximum height; all steel construction; equipped with 4.00 x 8 synthetic tire, extra large axle with larger bearings, collapsible steel legs, clamps and bumper hitches, two-tone enamel finish.

(b) Roll-A-Long is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (2) consisting of the following:

(1) *Suggested resale price.* \$99.50.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual

rail freight charge from the factory at Los Angeles, California, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Roll-A-Long to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailers.

(c) A reseller of Roll-A-Long trailers in any of the territories or possessions of the United States is authorized to sell each of the trailers described in paragraph (2), at a price not to exceed the applicable price established in paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation No. 136, due to substantial changes in design, specifications or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary mark-up on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary mark-up on such an amount).

This order shall become effective December 21, 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22795; Filed, Dec. 20, 1945;
11:53 a. m.]

[MPR 188, Amdt. 1 to Order 4035]

RUBY Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered*, That the following sentence shall be added to the end of paragraph (a) (1) of Order No. 4035 under § 1499.158 of Maximum Price Regulation No. 188: "To the above prices may be added fifty cents for each lamp and lamp base included in this order that contains a standard socket and is wired to use electricity."

This amendment shall become effective on December 21, 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22796; Filed, Dec. 20, 1945;
11:54 a. m.]

[MPR 188, Order 4780]

LANDERS FRARY AND CLARK APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Landers Frary and Clark, New Britain, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Distributors (wholesalers) (jobbers)	Dealers (retailers) (6 units or more)	Dealers (retailers) (less than 6 units)	Consumers
Automatic toaster...	EAC201	Each \$3.89	Each \$10.40	Each \$11.20	Each \$10.80

These maximum prices are for the articles described in the manufacturer's application dated December 17, 1945. These prices include the Federal excise tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are subject to your customary terms, allowances, discounts or other price differentials.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4780
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Landers Frary and Clark
New Britain, Connecticut
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at

wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of December 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22797; Filed, Dec. 20, 1945;
11:54 a. m.]

[MPR 260, Order 2049]

LA SIGA CIGAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Siga Cigar Manufacturing Company, 103-110 West 18th Street, New York 11, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Juan y Julia.....	Paris.....	20	Per M \$30	Cents 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most

closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 21, 1945.

Issued this 20th day of December 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-22798; Filed, Dec. 20, 1945;
11:54 a. m.]

Regional and District Office Orders.

[Providence Order G-2 Under MPR 426]

GREEN PEAS AND SNAP BEANS IN PROVIDENCE, R. I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Rhode Island District Director of the Office of Price Administration by section 8 (a) (7) of Maximum Price Regulation No. 426, and by Second Revised Order of Delegation issued by the Regional Director for Region I and other authority, *It is hereby ordered:*

(a) The total amount which may be added to the maximum basing point price of the commodity listed for freight (including the transportation tax imposed by section 620 of the Revenue Act of 1942) and protective services for the purpose of determining maximum prices thereof in the city of Providence, Rhode Island, shall be the amount set forth below:

Green peas. Bushel containers. Net weight 28 pounds or more. Basing point Calipatria, California. Season September 1-March 31. Freight and protective service allowance per container, 94 cents.

Snap beans. Bushel containers. Net weight 28 pounds or more. Basing point Pompano, Florida. Seasons November 1-December 31; January 1-February 29; March 1-April 30. Freight and protective service allowance per container, 84 cents.

(b) This order applies only in the city of Providence, State of Rhode Island.

(c) This order shall terminate on March 31, 1945 unless extended by order of the District Director prior to that date.

(d) This order may be revoked, amended or corrected at any time by the District Director or the Price Administrator.

*This order becomes effective on December 12, 1945.

Issued this 12th day of December 1945.

FRANK L. MARTIN,
District Director.

[F. R. Doc. 45-22767; Filed, Dec. 19, 1945;
4:38 p. m.]

[Region V Order G-1 Under Gen. Order 50,
Amdt. 11]

MALT BEVERAGES IN DESIGNATED SOUTHERN STATES

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by General Order 50, Region V Order No. G-1 under General Order 50, Maximum Prices for Malt Beverages in Designated Southern States, is amended in the following respects:

(1) Table III, section 20, appendix A, is amended to read as follows:

TABLE III—MAXIMUM PRICES PER BOTTLE FOR THE RESPECTIVE CONTAINER SIZES FOR THE RESPECTIVE BRANDS OF MALT BEVERAGES LISTED IN THIS TABLE III

Brand	Group 1B		Group 2B		Group 3B	
	12-oz.	7-oz.	12-oz.	7-oz.	12-oz.	7-oz.
Mexican Beer ¹	Cl.	Cl.	Cl.	Cl.	Cl.	Cl.
Van Merritt Beer	30	20	25	15	25	15
Van Wyck Beer	30	25	25	25	25	25
Acme Ale	30	25	25	20	20	20
Ballantine's Ale	30	25	25	20	20	20
Buckingham Ale	30	25	25	20	20	20
Burger Ale	30	25	25	20	20	20
Carling's Red Cap Ale	30	25	25	20	20	20
Champ Ale	30	25	25	20	20	20
Chesterton Ale	30	25	25	20	20	20
Doran's Canadian Ale	30	25	25	20	20	20
Lord Chumley Ale	30	25	25	20	20	20
Pabst Ale	30	25	25	20	20	20
Red Top Ale	30	25	25	20	20	20
Twenty Grand Ale	30	25	25	20	20	20
Drewry's Old Stock Ale	30	25	25	20	20	20

¹ "Mexican Beer" means all malt beverages produced in the Republic of Mexico. Prices for "Mexican Beer" shown in the 12 oz. column above include 12 oz. bottles and bottles of approximately 11 oz. Prices for "Mexican Beer" shown in the 7 oz. column above include bottles of approximately 7 oz. commonly known as "splits".

This amendment shall become effective December 14th, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Dallas, Texas, this 14th day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-22768; Filed, Dec. 19, 1945;
4:38 p. m.]

[Region V Rev. Order G-1 Under RMPR 122]

SOLID FUELS IN ST. LOUIS AND ST. LOUIS COUNTY, MO.

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, *It is ordered*, That Order No. G-1 under Revised Maximum Price Regulation No. 122 (Maximum Prices for Solid Fuels Sold in the City of St. Louis, Missouri, and Parts of St. Louis County, Missouri), as amended, is redesignated Revised Or-

der No. G-1 and is revised and amended to read as follows:

(a) *What this revised order does.* This revised order establishes maximum prices for sales of specified solid fuels delivered at or to any point in the Greater St. Louis, Missouri, Metropolitan Area. These are the highest prices that any dealer may charge when he sells or delivers any of such fuel at or to a point in the City of St. Louis, Missouri, or in that part of the County of St. Louis, Missouri, lying between the corporate limits of the City of St. Louis and the following described boundary line: Commencing at the Chain of Rocks Bridge, thence west along Missouri State Highway No. 77 to Lindbergh Boulevard, thence south along Lindbergh Boulevard to the northern boundary of the City of Kirkwood, Missouri, thence along the northern, western, and southern boundaries of the City of Kirkwood, Missouri, to Lindbergh Boulevard, thence south and east along Lindbergh Boulevard to the western boundary of Jefferson Barracks, thence north and east along the boundary of Jefferson Barracks to the Mississippi River. The boundary line so described shall be construed as following the center of the public highways named.

(1) *Solid fuels not covered by this revised order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this revised order which are not included in and for which prices are not established in this revised order. The maximum prices of such solid fuels when sold by any person covered by this revised order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended.

(b) *What this revised order prohibits.* Regardless of any obligation, no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Revised Order No. G-1; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(i) Charging for a service unless such service is expressly requested by the buyer and unless the seller is specifically authorized to do so by this revised order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) *Price schedule.* (1) Below and a price schedule which sets forth maximum prices for sales by direct delivery part of this paragraph is the maximum of specified sizes, kinds, and quantities of solid fuels.

counts and special service charges which must be deducted from or which may be added to the maximum prices covering sales of solid fuels described in paragraph (c). The service charges may be added only if the buyer requests such services of the dealer and only when the dealer renders the service.

(2) A discount of 25¢ per ton shall be made from the prices shown in the schedule when complete payment is made for a delivery of solid fuel at time of delivery to a consumer.

(3) On sales of solid fuel by one dealer to another dealer, the maximum price shall be \$1.75 per ton under the price of the fuel set forth in the foregoing schedule.

(4) On sales to commercial and industrial users, a discount of 75¢ per ton shall be applied to the prices set forth in the foregoing schedule. A commercial or industrial user, for the purposes of this order, shall mean any person who purchases for use, fifty or more tons of solid fuel per annum.

(5) The prices set forth in the foregoing schedule are for untreated coal. A charge of 10¢ per ton may be added to these prices when such coal is thoroughly and adequately treated chemically or with oil to allay dust or prevent freezing.

(6) For the service of job, carry, or wheel-in, the dealer may charge a maximum price of 75¢ per ton on all solid fuels, except coke.

(7) On sales of coke, the dealer may charge not to exceed \$1.00 per ton for job, carry, or wheel-in service.

(e) On sales of low volatile coal, bottom size $\frac{3}{4}$ " or larger, in quantities less than $\frac{1}{2}$ ton delivered, the maximum price shall be 50¢ per bushel of a minimum weight of 80 pounds.

(f) *Transportation tax, Missouri State sales tax*—(1) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this revised order provided the dealer states it separately from the price of the fuel and lists it separately on any invoice, sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof. (See Amendment 12 to Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of $\frac{1}{4}$ ton or lesser quantities.

(2) *The Missouri sales tax.* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(g) *Addition of increase in supplier's prices prohibited.* (1) The maximum prices set out by this revised order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this revised order, or any provision thereof, at any time.

(i) *Petitions for amendment.* (1) Any person seeking an amendment to this revised order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(j) *License.* (1) Every dealer subject to this revised order is governed by the licensing provisions of Supplementary Order No. 72, which provides that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but a dealer may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(k) *Sales slips and receipts: records.*

(1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated. This section shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(l) *Posting of maximum prices.* (1) Each dealer subject to this revised order shall post all the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this revised order available for examination by any person inquiring as to his prices for solid fuels.

(m) *Enforcement.* (1) Persons violating any provision of his revised order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this revised order are urged to communicate with the St. Louis, Missouri, District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United

States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The term "sale", "selling", "sold", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space, but if this is impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Job", "carry," and "wheel-in" mean the movement or transportation of fuel to the buyer's bin or storage space from the vehicle in which delivery is made or from the point at which the fuel was dumped or unloaded in the course of direct delivery.

(6) "District no." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(7) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(8) "Low volatile bituminous coal" means coal containing no higher than 23% volatile matter.

(9) "Price groups" and "size groups", as used in this Revised Order, refer to the price groups and size groups established by the Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943, or as defined in Maximum Price Regulations issued by the Office of Price Administration on or after that date.

(10) "Solid fuel" or "solid fuels" means all solid fuels except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coal or coke; and sea coal used for foundry facings.

(11) "Egg, stove, nut", etc., sizes of bituminous coal refer to the sizes of such coal as prepared at the mine in accordance with the applicable minimum price schedules promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943, or as since modified in maximum price schedules issued under MPR 120 by the Office of Price Administration.

Where the producer price schedules do not make specific mention of any size designated in this revised order, such size

designations shall refer to the sizes of bituminous coal sold as such in the St. Louis metropolitan area during December, 1941.

(12) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(13) "Solid shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading.

(14) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(15) "Strip mine" means a mine producing coal by the stripping method taking its entire production from the ground after removing all overburden.

(16) "Arkansas anthracite" as used in this order, is coal whose analysis and non-coking characteristics are similar to anthracite produced in the Pennsylvania fields.

(17) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122 as amended, shall apply to the terms used herein.

(c) *Effect of this revised order on Revised Maximum Price Regulation No. 122.*

(1) To the extent applicable, the provisions of this revised order supersede Revised Maximum Price Regulation No. 122.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued at Dallas, Texas, and effective this 24th day of March 1945.

NOTE: Collated to include Amendments 1 through 5, this 7th day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-22766; Filed, Dec. 19, 1945; 4:38 p. m.]

[Region VII Order G-5 Under EOPR 251]

INSTALLED INSULATION IN NEW MEXICO

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. *What this order does.* (a) This order fixes maximum prices for sales of installed insulation by any person, hereinafter called the seller, to any person, hereinafter called the purchaser, in connection with a building, structure or construction project at a fixed site.

(b) *Definitions.* As used in this order, the term:

(1) "Insulation" means any material used to retain or exclude heat, including but not limited to mineral wool, both nodulated and loose, expanded mica, other loose material such as ground

newsprint paper and all types of batts and blanket insulation such as those containing mineral wool, cotton, spun glass, and balsam wool.

(2) "Sale of installed insulation" means a transaction in which the seller furnishes "insulation" materials together with the services required to incorporate such materials into a building, structure or construction project at a fixed site. Installations may be performed by the pneumatic or blowing method, by the hand-packing method, by the use of batts and blankets, or otherwise.

SEC. 2. *Geographical applicability.* This Order No. G-5 applies only to the State of New Mexico.

SEC. 3. *Relationship of this order to Revised Maximum Price Regulation No. 251.* Except as otherwise provided in this order, this order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this order. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued shall, except to the extent they are inconsistent with the provisions of this order, apply to sales covered by this order.

SEC. 4. *Maximum prices of installed insulation and extra work for which charges may be made—*(a) *Installed insulation.* The maximum prices for the sale of installed insulation covered by this order shall be as shown in categories (1) to (29), inclusive, below. (The drawings referred to are attached to this order and are made a part hereof.)

MAXIMUM PRICES PER SQUARE FOOT OF AREA

Categories	Table 1 Min- eral wool, 4" depth	Table 2 Ex- panded mica, 4" depth	Table 3 Other loose mate- rials, 4" depth	Table 4 Min- eral batts or blank- ets, 3" thick- ness or over	Table 5 Other batts or blank- ets, 4" thick- ness or over
EXPOSED CEILINGS					
(1) Open attics with over 24" clearance to roof. Drawing 1.....	\$0.11	\$0.10	\$0.07	\$0.11	\$0.09
(2) Under flat built up roofs (suspended ceiling): open blowing conditions. (Price includes cost of opening and closing for area.) Drawing 2.....	.11	.10	.07	.11	.09
COVERED CEILINGS					
(Prices include the cost of removing and replacing flooring)					
(3) Open attics with a single rough flooring and accessible.....	.12	.11	.08	.12	.10
(4) Open attics with finished single floors. Drawing 4.....	.12	.11	.08	.12	.10
(5) Open attics with double floors, the top floor finished. Drawing 5.....	.13	.14	.09	.15	.13
FLAT CEILINGS IN CLOSED SPACES					
(Prices do not include cost of opening and closing)					
(6) Flat ceilings in closed spaces under pitched or sloping roofs where opening in roof is necessary, such as pocket areas behind knee walls, areas under roof ridges or extensions which are practically flat. Drawing 6:					
(i) Unfloored.....	.11	.10	.07	.11	.09
(ii) Floored:					
1. With single rough floor.....	.12	.11	.08	.12	.10
2. With single finished floor.....	.12	.11	.08	.12	.10
3. With double finished floor.....	.13	.12	.09	.13	.11
FLAT CEILINGS IN CLOSED SPACES—CON.					
(Prices do not include cost of opening and closing)					
(7) Ceilings in closed space under ridge or pitched roofs, where openings for the full length of ridge is necessary because of small clearance between ridge and ceiling areas. Drawing 7. Un-floored.....	\$0.11	\$0.10	\$0.07	\$0.11	\$0.09
(8) Flat built up roof type including raw house construction and commercial buildings. Drawing 8.....	.11	.10	.07	.11	.09
(9) Flat roof decks covered with tin, copper or canvas. Drawing 9.....	.12	.11	.08	.12	.10
(10) Overhang. Drawing 10.....	.12	.11	.08	.12	.10
(11) Danner tops. Drawing 11.....	.11	.10	.07	.11	.09
(12) Bay window taper bottom. Drawing 12:					
(a) Top.....	.11	.10	.07	.11	.09
(b) Bottom.....	.13	.12	.09	.13	.11
FLOORS					
(Prices do not include cost of opening and closing.) (Prices do not include cost of retaining material.)					
(13) Any exposed floors over garage col-lies, open porches or similar types of areas where the under side of the area to be insulated is closed and finished. Drawing 13.....	.13	.12	.09	.13	.11
(14) Any exposed floors where the areas to be insulated are not closed and finished and where retaining mate-rials are required. Drawing 14.....	.12	.11	.08	.12	.10

¹ Filed as a part of the original document.

MAXIMUM PRICES PER SQUARE FOOT OF AREA—Continued

Categories	Table 1 Min- eral wool, 4" depth	Table 2 Ex- panded mica, 4" depth	Table 3 Other loose mate- rials, 4" depth	Table 4 Min- eral batts or blan- kets, 3" thick- ness or over	Table 5 Other batts or blan- kets, 3" thick- ness or over	Categories	Table 1 Min- eral wool, 4" depth	Table 2 Ex- panded mica, 4" depth	Table 3 Other loose mate- rials, 4" depth	Table 4 Min- eral batts or blan- kets, 3" thick- ness or over	Table 5 Other batts or blan- kets, 3" thick- ness or over
FLOORS OVER UNEXCAVATED AREAS (Prices do not include cost of retaining material)						KNEE WALLS, PARTITIONS, AND STAIRWELLS AND APPURTENANCES—continued					
(15) Batts and blankets. Drawing 15.....	\$0.15	\$0.14	\$0.10	\$0.15	\$0.13	(23) Stairwells and appurtenances. (Prices include opening and closing of plastered wall):					
(16) 4" fill blown in over retaining material. Drawing 16.....	.13	.12	.09	.13	.11	(a) Soffits. Drawing 23.....	\$0.16	\$0.15	\$0.11	\$0.10	\$0.14
SLOPING AREAS (Prices do not include opening or closing)						(b) Walls (Measurement of walls may be taken as rectangular from floor to ceiling).....	.14	.13	.10	.14	.12
(17) All slopes where closed and finished on the interior side of the rafters. Drawing 17.....	.13	.12	.09	.13	.11	EXTERIOR WALLS (Prices include cost of opening and closing)					
(18) Open rafters and slopes where batts or blankets are used, such as pocket outside of knee wells where blow is impracticable. Drawing 18.....	.14	.13	.10	.14	.12	(24) Exterior walls with inner finish whose outer surfaces are composed of: (Drawing 24 to 30):					
(19) Open rafters and slopes. Application of batts or blankets. Drawing 19. (No retainer used).....	.14	.13	.10	.14	.12	(a) Wood or asphalt shingles.....	.16	.15	.11	.10	.14
KNEE WALLS, PARTITIONS, AND STAIRWELLS AND APPURTENANCES						(b) Wood clapboard.....	.21	.18	.14	.21	.19
(20) Interior plastered walls where no decoration is necessary except plaster patching. Drawing 20. (Price includes opening and closing of plastered walls).....	.14	.13	.10	.14	.12	(c) Brick or stone veneer.....	.21	.18	.14	.21	.19
(21) Knee walls. Drawing 21:						(d) Stucco.....	.21	.18	.14	.21	.19
(a) Batts and blankets.....	.13	.12	.09	.13	.11	(e) Asbestos cement shingles.....	.19	.16	.12	.10	.17
(b) Blown.....	.11	.10	.08	.11	.09	(f) Insulated brick and stone novelty siding.....	.19	.16	.12	.10	.17
(22) Knee walls not accessible. Drawing 22.....	.17	.16	.11	.17	.15	(25 & 26) Gable and end walls with inner finish. Drawings 25, 26, and 27. Apply the prices listed under Categories 24 (a) to 24 (f), inclusive, depending upon the type of outer finish.....					
						(27) Gable and end walls without inner finish. Drawings 25, 26, and 27. (Batts or blankets).....	.15	.14	.10	.15	.13
						(28) Dormer cheeks and faces with inner finish. Drawings 28 and 29.....	.14	.13	.10	.14	.12
						(29) Dormer cheeks and faces without inner finish. Drawings 28 and 29. (Batts or blankets).....	.15	.14	.10	.15	.13

NOTE.—The maximum prices listed above in Tables 1, 2 and 3 are based upon an insulation thickness of 4 inches. For each inch of insulation over 4 inches, when ordered by the purchaser, the seller may make the following additional charges: 1½¢ per square foot for flat areas; 2¢ per square foot for vertical areas; and 2½¢ per square foot for sealed slopes, while for each inch of thickness under 4 inches, the seller shall deduct 1¢ per square foot. A ¾ inch tolerance may be allowed with respect to any such measurements.

The maximum prices listed above in Tables 4 and 5 are based upon an insulation thickness of 3 inches and over. For each inch or fraction of an inch of thickness of batts and blankets under 3 inches, the seller shall deduct 1¢ per square foot. Where a machine or crew of two or more workers is used on installed insulation jobs, and the total charge is determined in accordance with the maximum prices listed in the tables set forth above, is \$40.00 or less, the seller may make an additional charge of \$10.00 for the job.

(b) *Extra work for which charges may be made.* Maximum prices for certain extra work for which charges may be made are shown below in Categories (1) to (13), inclusive. The work described by these categories shall be subject to the maximum prices established thereby only when performed and sold by the seller of installed insulation. When such work is sold by other sellers, the maximum price shall be determined under Revised Maximum Price Regulation No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII. When the work listed in Categories (1) to (13), inclusive, is performed by a sub-contractor, but sold by a seller subject to this order, the seller's maximum price shall be the exact price charged by the sub-contractor; but in no event shall such charge be higher than the maximum price determined under RMPR No. 251; that is, the seller may in no event add any amount to the price charged him by the sub-contractor.

Openings and closings. An extra charge may be made for openings and closings only in those cases where openings and closings are not specifically included in the price applicable to Categories (1) to (29), inclusive, set forth in sub-section (a) of this section. The extra charges for openings and closings set forth in Categories (1) to (5), inclusive, set forth below in this sub-section (b)

include payment for all labor and materials including that used for replacement of material where necessary.

Categories	Maximum prices	
	Manhole size	Strip openings
(1) Metal roofs.....	(1)	(1)
(2) Common wood or asphalt shingles or rolled asphalt roofing.....	\$5.00	2.50
(3) Slate, tile and asbestos shingles.....	7.50	1.60
(4) Wood openings or openings through similar materials, including beaded ceilings.....		1.50
(5) Plaster wall or ceiling openings and closings.....	(1)	(1)

¹ Lawful price charged by subcontractors as determined under RMPR 251.

² Per lineal foot (minimum \$5.00).

³ Per lineal foot (minimum \$7.50).

Retaining materials (includes material and installation)	Maximum prices per square foot
(6) Building paper and lath, retaining surface (such as Sisakraft).....	\$0.04.
(7) Paper wall boards.....	\$0.07.
(8) Rock lath (approximately 16" x 48").....	\$0.07.
(9) Plaster board and insulating board.....	\$0.11.

Miscellaneous (includes materials and labor)	Maximum prices
(10) Insulate expansion tank.....	\$5.00.
(11) Insulate knee wall doors with insulating board.....	\$2.50 per opening.
(12) Louvers or ventilators (all types and sizes).....	\$5.00 each.
(13) 2 x 4 framing lumber necessary to installation, installed.....	\$0.20 per lineal foot.

(c) *Measurements.* It shall be the seller's responsibility to ascertain that all measurements are accurate. Measurements for exterior walls are to be taken overall, with no deduction for openings, except for sun porch walls, store fronts or similar areas where windows and door areas must be deducted. In the case of elevator wells, ventilators, skylights, monitors and pent houses on flat roofs the entire such area must be deducted where they are more than 16 square feet in area and extend through the flat ceiling area to be insulated. For attic floors outside gross dimensions may be taken. In measuring the height of knee walls, to the height between floors, joists and rafters add one foot for floor seal piling of granulated insulation. For slopes add six inches to length of clear span for capping intersecting surfaces. For flat ceilings which intersect slopes add one foot to length of span taken at right angles to intersecting slopes. For stairwell walls measurement may be taken as a rectangle from floor to ceiling and not as triangles. In determining the total of the square foot area for each category of insulation installed a tolerance of 5 percent will be recognized.

(d) *Distant installations.* The maximum prices provided in Paragraph (a) of this section shall apply to all installations made within 10 miles of the seller's nearest place of business. For installations

at more distant points the following additions may be made. Mileage shall be calculated to the nearest mile.

- (i) For installations from 10 to 25 miles distant, 1¢ per square foot.
- (ii) For installations from 25 to 100 miles distant, 2¢ per square foot.
- (iii) For installations distant 100 miles or more, 3¢ per square foot.

SEC. 5. Guaranteed price. A seller may sell an installed insulation job, covered by this order, on the basis of a guaranteed price but such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order.

SEC. 6. Related and incidental construction work. If on any insulation job, any installed building materials are furnished or any construction services performed by the seller for which specific maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental construction work shall be determined under Revised Maximum Price Regulation No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

SEC. 7. Notification. (a) Each seller making a sale covered by this order, shall, upon completion of the work furnish to the purchaser a statement and keep a copy thereof at his principal place of business, showing the following:

(1) The names and addresses of the seller and purchaser.

(2) The location of the job.

(3) The date the job was completed.

(4) A description of the work performed and the total charged for the installed insulation job, and a separate statement of the related and incidental construction work performed.

(b) If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in sub-paragraphs (1), (2), and (3) of paragraph (a) of this section, together with an itemized statement showing the number of square feet, type, thickness and unit price for each category of insulation installed, the total thereof, the area in which installed with reference to the drawing number, and any additional charges made pursuant to this order, together with a separate itemized statement of any related and incidental construction work performed. A copy of any such statements so furnished shall be kept by the seller at his principal place of business.

(c) Each seller making a sale covered by this order, shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the Office of the Regional Administrator or from the District Office of the Office of Price Administration.

SEC. 8. Records. Each seller must keep and retain, at his principal place of business, records concerning each sale covered by this order, showing the following:

(1) The name and address of the purchaser.

(2) The location of the job.

(3) A copy of any and all contracts pertaining to each sale.

(4) The time the job was completed.

(5) An itemized statement showing the number of square feet, type thickness and unit price for each category of insulation installed, the areas in which installed with references to drawing numbers and the totals thereof.

(6) A separate itemized statement of any related and incidental construction work and the prices charged for such work.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell installed insulation covered by this order at prices higher than the maximum prices established by this order: *Provided*, That installations made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of installed insulation than is permitted by this order shall be deemed a violation of this order and subjects the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended, and extended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of any of the installed insulation covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive the benefit of any services, transportation agreements, or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of installed insulation, nor shall the seller lower the quality of the materials furnished below that called for by the specifications or agreement.

(d) No seller shall, by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of installed insulation.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of

one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This Order No. G-5 shall become effective December 17, 1945.

Issued this 6th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22772; Filed, Dec. 19, 1945; 4:40 p. m.]

[Region VII, Order G-6 Under RMPR 251]
INSTALLED RE-SIDING MATERIALS IN NEW MEXICO

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. What this order does. (a) This order fixes maximum prices for all sales of re-siding materials on an installed basis into a residential structure, as defined herein, in the area hereinafter described, together with the services required to incorporate such materials into the structure or structures and the re-siding accessories and extra charges permissible in connection with the installation, whether or not such sales or services are made as a part of a general contract.

(b) The provisions of sections 8 and 10 of this order shall apply to all sellers of re-siding materials on an installed basis into any type of structure, together with the services, accessories, and extra charges involved.

(c) The term "residential structure" means any building, structure, or part thereof, used entirely or principally for living or dwelling purposes and includes buildings or structures in connection therewith, or adjacent thereto, at the same site, such as garages, barns, milk houses, sheds, granaries, and other out-buildings, but does not include hotels.

(d) The term "re-siding materials" means any material used for re-siding a residential structure in whole or in part, including but not limited to types of siding used such as asbestos-cement shingles and composition siding materials such as insulated brick or stone and roll brick siding, but does not include materials covered by Revised Maximum Price Regulation No. 215, such as lap siding, drop siding, wood shingles, and similar materials.

SEC. 2. Geographical applicability. This Order No. G-6 applies only to the State of New Mexico.

SEC. 3. Relationship of this order to Revised Maximum Price Regulation No.

251. This order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this order. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued, except to the extent they are inconsistent with the provisions of this order, shall apply to sales covered by this order.

SEC. 4. *Maximum prices for sales of re-siding materials and accessories on an installed basis.* The maximum prices for sales covered by this order shall be as shown in Table I and Table II. Table I covers prices for re-siding materials on an installed basis and Table II covers prices for re-siding accessories and other items for which extra charges may be made.

• (A) TABLE I—INSTALLED RE-SIDING PRICES
ASBESTOS-CEMENT SIDING

Standard surface hardness, and extra hard surface, white or standard colors, 12" x 24", 12" x 27", 8½" x 8", or 9½" x 22" or 24": \$22.00 per square.

The above prices include nails, caulking, joint strips, and one bundle of lath.

(B) TABLE II—INSTALLED RE-SIDING ACCESSORIES FOR WHICH EXTRA CHARGES MAY BE MADE AS STATED BELOW

(1) Lath (400 ft. per bundle) after first bundle: \$4.00 per bundle.

(2) 15 lb. felt: \$1.50 per square.

(3) 30 lb. felt and smooth surface rolls: \$2.50 per square.

(4) 35 lb. felt smooth surface rolls in 12" widths: \$3.00 per square.

(5) Building paper (rosin sized): \$1.00 per square.

(6) Moulding (quarter round to ¾" and band up to 1½"): 5¢ per ft.

(7) Rabbitted mouldings: 14¢ per ft.

(8) Backer board: \$4.50 per square.

(9) All shingles above the second floor ceiling, extra charge: \$3.00 per square.

(10) Applying shingles to the second floor when the first floor is not covered, extra charge: \$2.00 per square.

(11) No additional charges for transportation may be made within a distance of five miles from the corporate limits of the city where the seller's place of business is located. However, an additional charge of 10¢ per square for each mile thereafter may be made, provided the total additions permitted by this sub-paragraph may not exceed \$1.00 per square.

(12) Where the re-siding job is performed at a distance of more than 40 miles from the corporate limits of the city where the seller's place of business is located, the seller may include any additional transportation charges actually incurred for transporting the re-siding materials from said city to the site of the job but not to exceed the lowest common carrier freight charges therefor.

(13) A charge of \$5.00 per day may be made for each workman on a re-siding job when he is required to remain overnight out of the city to complete such job.

(14) For any re-siding job requiring less than 5 squares, an additional charge of \$2.00 per square may be made.

SEC. 5. *Guaranteed price.* A seller may sell a re-siding job covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price figured in accordance with the requirements of this order.

SEC. 6. *Related and incidental construction work.* If on any re-siding job,

any installed building materials are furnished or any construction services performed by the seller for which specific maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental construction work shall be determined under Revised Maximum Price Regulation No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

SEC. 7. *Measurements.* It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A measurement with reasonable accuracy shall be considered to have been made if the price based on such estimate does not vary more than 10% from the maximum price computed under the terms of this order, on the basis of the actual measurement.

SEC. 8. *Notification.* (a) Each seller making a sale covered by this order shall, upon completion of the work, furnish to the purchaser a statement showing the following:

1. The names and addresses of the seller and purchaser.

2. The location of the job.

3. The date the job was completed.

4. A description of the work performed and the total charged for the job, together with an itemized statement of the accessories and other items included in Table II of section 4 of this order for which an extra charge was made, and the quantities and prices of each, and a separate statement of the related and incidental construction work performed, as provided in section 6 of this order.

(b) If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in sub-paragraphs 1, 2, and 3 of paragraph (a) of this section, together with an itemized statement showing the number of squares, the prices charged per square of re-siding materials installed, together with an itemized statement of the accessories and other items included in Table II of section 4 of this order for which an extra charge was made, and the quantities and prices of each, and a separate itemized statement of any related and incidental construction work performed, as provided in section 6 of this order.

(c) Each seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the office of the Regional Administrator or from the District Office of the Office of Price Administration.

SEC. 9. *Prohibitions against sales at higher than maximum prices.* On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell re-siding materials on an installed basis covered by this order at prices higher than the maximum prices established by this order: *Provided*, That installations made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective

date of this order shall not be considered to be violations of this order.

SEC. 10. *Records.* Each seller must keep and retain at his principal place of business records concerning each sale covered by this order, showing the following:

1. The name and address of the purchaser.

2. The location of the job.

3. A copy of any and all contracts pertaining to each sale.

4. The date the job was completed.

5. A description of the re-siding materials and services involved.

6. The number of squares and the price charged per square of re-siding materials.

7. A list of all accessories and other item included in Table II of section 4 of this order, for which an extra charge may be made, showing the quantity and price of each.

8. A separate itemized statement of any related and incidental construction work and the prices charged for such work.

All such records shall be kept and made available for inspection by representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 11. *Evasions.* (a) Any practice, scheme or device which results in a higher price to the purchaser of re-siding materials on an installed basis than is permitted by this order shall be deemed a violation of this order and subjects the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of any of the re-siding materials on an installed basis covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive the benefit of any services, transportation agreements, or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of a re-siding job, nor shall the seller lower the quality of the materials furnished below that called for by the specifications or agreement.

(d) No seller shall, by any of the foregoing plans, schemes, or devices, or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or any other consideration whatsoever in addition to the maximum prices established in this order for the sale of any re-siding materials on an installed basis.

SEC. 12. *Less than maximum prices.* Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control,

are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This order No. G-6 shall become effective December 17, 1945.

Issued this 5th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22773; Filed, Dec. 19, 1945;
4:41 p. m.]

[Region VII Order G-7 Under RMPR 251]

INSTALLED RE-ROOFING MATERIALS IN NEW MEXICO

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. What this order does. (a) This order fixes maximum prices for all sales of re-roofing materials on an installed basis into a residential structure, as defined herein, in the area hereinafter described, together with the services required to incorporate such materials into the structure or structures and the re-roofing accessories and extra charges permissible in connection with the installation, whether or not such sales or services are made as a part of a general contract.

(b) The provisions of sections 8 and 10 of this order shall apply to all sellers of re-roofing materials on an installed basis into any type of structure, together with the services, accessories, and extra charges involved.

(c) The term "residential structure" means any building, structure, or part thereof, used entirely or principally for living or dwelling purposes and includes buildings or structures in connection therewith, or adjacent thereto, at the same site, such as garages, barns, milk houses, sheds, granaries, and other out-buildings, but does not include hotels.

(d) The term "re-roofing materials" means any material used for re-roofing a residential structure in whole or in part, including but not limited to wood shingles, asbestos shingles, composition roofing materials such as asphalt shingles, mineral surface roll roofing and smooth surface roll roofing.

SEC. 2. Geographical applicability. This Order No. G-7 applies only to the State of New Mexico.

No. 250—3

SEC. 3. Relationship of this order to Revised Maximum Price Regulation No. 251. This order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this order. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued, except to the extent they are inconsistent with the provisions of this order, shall apply to sales covered by this order.

SEC. 4. Maximum prices for sales of re-roofing materials and accessories on an installed basis. The maximum prices for sales covered by this order shall be as shown in Table I and Table II. Table I covers prices for re-roofing materials on an installed basis and Table II covers prices for re-roofing accessories and other items for which extra charges may be made.

(A) TABLE I—RE-ROOFING PRICES
Roll Roofing and Shingles

	Per square
210-219 lbs., 12" (3 tab) asphalt.....	\$11.00
210 lbs., 15" (3 in. linethick butt).....	11.00
187 lbs., 12½" hex asphalt shingle.....	10.00
167 lbs., 11½" hex asphalt shingle.....	10.00
160-162 lbs., re-roofer type shingle.....	9.00
105 lbs., split roll roofing, diamond point or stagger edge, etc.....	8.00
90 lbs., roll roofing mineral surfaced.....	7.00
210-230 lbs., asbestos shingles.....	23.00
16" x 16"-155 lbs., lock type shingle.....	10.00
110 lbs., mineral surfaced double coverage.....	8.50
No. 1, wood shingles 5/2-16" (unstained).....	12.00

The above prices include nails, mastic and flashing around chimneys and vents.

Built-Up Roofing

3-15 lb. felt and gravel=1-15 lb. felt nailed on with 2-15 lb. felts mopped on with 30 lbs. asphalt per square to each mop-on coat, and a 50 lb. asphalt per square flood coat and gravel: \$12.00 per square.

1-30 lb. felt 2-15 lb. felt and flood coat=1-30 lb. felt nailed on with 2-15 lb. felts mopped on using 30 lbs. asphalt per square for mop-on coat, and a flood coat of 30 lbs. asphalt per square: \$10.00 per square.

1-30 lb. felt and 2-15 lb. felt and gravel=1-30 lb. felt nailed on and 2-15 lb. felts mopped on using 30 lbs. asphalt per square for mop-on coat, and a flood coat of 50 lbs. asphalt per square and gravel: \$12.50 per square.

For each additional 30 lb. felt and 30 lb. asphalt per square mop coat, add: \$3.00 per square.

For each additional 15 lb. felt and 30 lb. asphalt per square mop coat, add: \$2.50 per square.

90 lb. slate mopped on using 30 lbs. asphalt per square for mop coat: \$7.00 per square.

65 lb. cap sheet mopped on using 30 lbs. asphalt per square for mop coat: \$6.75 per square.

The above prices include nails, mastic and flashing around chimneys and vents.

(B) TABLE II—RE-ROOFING ACCESSORIES AND OTHER ITEMS FOR WHICH AN EXTRA CHARGE MAY BE MADE

- (1) Hip and ridge shingles: 15 cents per ft.
- (2) Slate surface rolls, 90 lbs. (used on valleys, ridges, or other sections of roofs): \$7.00 per square.
- (3) Yankee gutters relined: 25 cents per ft.
- (4) Box gutters relined: 35 cents per ft.
- (5) Replaced boards on Yankee gutters: 30 cents per ft.

(6) 75¢ per square if the pitch of the roof is as much as or exceeds a rise measured vertically of 3 feet in each 3 feet of horizontal dimensions.

(7) No additional charges for transportation may be made within a distance of five miles from the corporate limits of the city where the seller's place of business is located. However, an additional charge of 10¢ per square for each mile thereafter may be made, provided the total additions permitted with respect thereto may not exceed \$1.00 per square, except in the case of built-up roofing, an additional charge of 20¢ per square for each mile may be made, but the total additions with respect thereto may not exceed \$2.00 per square.

(8) Where the re-roofing job is performed at a distance of more than 40 miles from the corporate limits of the city where the seller's place of business is located, the seller may include any additional transportation charges actually incurred for transporting the re-roofing materials from said city to the site of the job but not to exceed the lowest common carrier freight charges therefor.

(9) A charge of \$5.00 per day may be made for each workman on a re-roofing job when he is required to remain overnight out of the city to complete such job.

(10) For any re-roofing job requiring less than 5 squares, an additional charge of \$2.00 per square may be made.

SEC. 5. Guaranteed price. A seller may sell a re-roofing job covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price figured in accordance with the requirements of this order.

SEC. 6. Related and incidental construction work. If on any re-roofing job, any installed building materials are furnished or any construction services performed by the seller for which specific maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental construction work shall be determined under Revised Maximum Price Regulation No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

SEC. 7. Measurements. It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A "measurement with reasonable accuracy" shall be considered to have been made if the price based on such estimate does not vary more than 10% from the maximum price computed under the terms of this order, on the basis of the actual measurement.

SEC. 8. Notification. (a) Each seller making a sale covered by this order shall, upon completion of the work, furnish to the purchaser a statement showing the following:

1. The names and addresses of the seller and purchaser.
2. The location of the job.
3. The date the job was completed.
4. A description of the work performed and the total charged for the job, together with an itemized statement of the accessories and other items included in Table II of section 4 of this order for which an extra charge was made, and the quantities and prices of each, and

a separate statement of the related and incidental construction work performed, as provided in section 6 of this order.

(b) If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in subparagraphs 1, 2, and 3 of paragraph (a) of this section, together with an itemized statement showing the number of squares, the prices charged per square of re-roofing materials installed, together with an itemized statement of the accessories and other items included in Table II of section 4 of this order, for which an extra charge was made, and the quantities and prices of each, and a separate itemized statement of any related and incidental construction work performed, as provided in section 6 of this order.

(c) Each seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the office of the Regional Administrator or from the District Office of the Office of Price Administration.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell re-roofing materials on an installed basis covered by this order at prices higher than the maximum prices established by this order: *Provided*, That installations made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

SEC. 10. Records. Each seller must keep and retain, at his principal place of business, records concerning each sale, covered by this order, showing the following:

1. The name and address of the purchaser.
2. The location of the job.
3. A copy of any and all contracts pertaining to each sale.
4. The date the job was completed.
5. A description of the re-roofing materials and services involved.
6. The number of squares and the price charged per square of re-roofing materials.
7. A list of all accessories and other items included in Table II of section 4 of this order, for which an extra charge may be made, showing the quantity and price of each.
8. A separate itemized statement of any related and incidental construction work and the prices charged for such work.

All such records shall be kept and made available for inspection by representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 11. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of re-roofing materials on an installed basis than is permitted by this order shall be

deemed a violation of this order and subjects the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of any of the re-roofing materials on an installed basis covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive the benefit of any services, transportation agreements, or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of a re-roofing job, nor shall the seller lower the quality of the materials furnished below that called for by the specifications or agreement.

(d) No seller shall, by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or any other consideration whatsoever in addition to the maximum prices established in this order for the sale of any re-roofing materials on an installed basis.

SEC. 12. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 13. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension make any sale for which his license has been suspended.

SEC. 14. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This Order No. G-7 shall become effective December 17, 1945.

Issued this 5th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22774; Filed, Dec. 19, 1945;
4:41 p. m.]

[Region VII Order G-11 Under RMPR 251]

INSTALLED RE-ROOFING MATERIALS IN WYOMING

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. What this order does. (a) This order fixes maximum prices for all sales of re-roofing materials on an installed basis into a residential structure, as defined herein, in the area hereinafter described, together with the services required to incorporate such materials into the structure or structures and the re-roofing accessories and extra charges permissible in connection with the installation, whether or not such sales or services are made as a part of a general contract.

(b) The provisions of sections 8 and 9 of this order shall apply to all sellers of re-roofing materials on an installed basis into any type of structure, together with the services, accessories, and extra charges involved.

(c) The term "residential structure" means any building, structure, or part thereof, used entirely or principally for living or dwelling purposes and includes buildings or structures in connection therewith, or adjacent thereto, at the same site, such as garages, barns, milk houses, sheds, granaries, and other out-buildings, but does not include hotels.

(d) The term "re-roofing materials" means any material used for re-roofing a residential structure in whole or in part, including but not limited to wood shingles, asbestos shingles, composition roofing materials such as asphalt shingles, mineral surface roll roofing and smooth surface roll roofing.

SEC. 2. Geographical applicability. This Order No. G-11 applies only to the State of Wyoming.

SEC. 3. Relationship of this order to Revised Maximum Price Regulation No. 251. This order supersedes section 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this Order. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued, except to the extent they are inconsistent with the provisions of this order, shall apply to sales covered by this order.

SEC. 4. Maximum prices for sales of re-roofing materials and accessories on an installed basis. The maximum prices for sales covered by this order shall be as shown in Table I and Table II. Table I covers prices for re-roofing materials on an installed basis and Table II covers prices for re-roofing accessories and other items for which extra charges may be made.

(A) TABLE I—RE-ROOFING PRICES

	Per square
210-219 lbs., 12" (3 tab) asphalt.....	\$12.75
210 lbs., 15" (3 in. line thick butt)....	12.50
187 lbs., 12½" hex asphalt shingle....	11.50
167 lbs., 11½" hex asphalt shingle....	11.00
160-162 lbs., re-roofer type shingle....	11.00
105 lbs., split roll roofing, diamond point or stagger edge, etc.....	8.50
90 lbs., roll roofing mineral surfaced....	7.00
260-290 lbs., asbestos shingles.....	25.00
16" x 16", asbestos Dutch lap.....	24.00
325 lbs., standard individual composition shingle.....	13.50
No. 1, wood shingles 5/2-16" (unstained)	12.00

The above prices include nails, mastie and flashing around chimneys and vents.

(B) TABLE II—RE-ROOFING ACCESSORIES AND OTHER ITEMS FOR WHICH AN EXTRA CHARGE MAY BE MADE

- (1) Hip and ridge shingles: 15¢ per ft.
- (2) Slate surface rolls, 90 lbs. (used on valleys, ridges, or other sections of roofs): \$7.00 per square.
- (3) Yankee gutters relined: 25¢ per ft.
- (4) Box gutters relined: 35¢ per ft.
- (5) Replaced boards on Yankee gutters: 30¢ per ft.
- (6) 75¢ per square if the pitch of the roof is as much as or exceeds a rise measured vertically of 3 feet in each 3 feet of horizontal dimension.
- (7) No additional charges for transportation may be made within a distance of five miles from the corporate limits of the city where the seller's place of business is located. However, an additional charge of 10¢ per square for each mile thereafter may be made, provided the total additions permitted by this sub-paragraph may not exceed \$1.00 per square.
- (8) Where the re-roofing job is performed at a distance of more than 40 miles from the corporate limits of the city where the seller's place of business is located, the seller may include any additional transportation charges actually incurred for transporting the re-roofing materials from said city to the site of the job but not to exceed the lowest common carrier freight charges therefor.
- (9) A charge of \$5.00 per day may be made for each workman on a re-roofing job when he is required to remain overnight out of the city to complete such job.
- (10) For any re-roofing job requiring less than 5 squares, an additional charge of \$2.00 per square may be made.

Sec. 5. Guaranteed price. A seller may sell a re-roofing job covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price figured in accordance with the requirements of this order.

Sec. 6. Related and incidental construction work. If on any re-roofing job, any installed building materials are furnished or any construction services performed by the seller for which specific maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental construction work shall be determined under Revised Maximum Price Regulation No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

Sec. 7. Measurements. It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A measurement with reasonable accuracy shall be considered to have been made if the price based on such estimate does not vary more than 10% from the maximum price computed under the terms of this order, on the basis of the actual measurement.

Sec. 8. Notification. (a) Each seller making a sale covered by this order shall, upon completion of the work, furnish to the purchaser a statement showing the following:

1. The names and addresses of the seller and purchaser.
2. The location of the job.
3. The date the job was completed.
4. A description of the work performed and the total charged for the job, together with an itemized statement of the

accessories and other items included in Table II of section 4 of this order for which an extra charge was made, and the quantities and prices of each, and a separate statement of the related and incidental construction work performed, as provided in section 6 of this order.

(b) If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in subparagraphs 1, 2, and 3 of paragraph (a) of this section, together with an itemized statement showing the number of squares, the prices charged per square of re-roofing materials installed, together with an itemized statement of the accessories and other items included in Table II of section 4 of this order, for which an extra charge was made, and the quantities and prices of each, and a separate itemized statement of any related and incidental construction work performed, as provided in section 6 of this order.

(c) Each seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the office of the Regional Administrator or from the District Office of the Office of Price Administration.

Sec. 9. Records. Each seller must keep and retain, at his principal place of business, records concerning each sale, covered by this order, showing the following:

1. The name and address of the purchaser.
2. The location of the job.
3. A copy of any and all contracts pertaining to each sale.
4. The date the job was completed.
5. A description of the re-roofing materials and services involved.
6. The number of squares and the price charged per square of re-roofing materials.
7. A list of all accessories and other items included in Table II of section 4 of this order, for which an extra charge may be made, showing the quantity and price of each.
8. A separate itemized statement of any related and incidental construction work and the prices charged for such work.

All such records shall be kept and made available for inspection by representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

Sec. 10. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell re-roofing materials on an installed basis covered by this order at prices higher than the maximum prices established by this order: *Provided*, That installations made not more than thirty days after the effective date of this order on a bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

Sec. 11. Erasures. (a) Any practice, scheme or device which results in a

higher price to the purchaser of re-roofing materials on an installed basis than is permitted by this order shall be deemed a violation of this order and subjects the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of any of the re-roofing materials on an installed basis covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive the benefit of any services, transportation agreements, or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of a re-roofing job, nor shall the seller lower the quality of the materials furnished below that called for by the specifications or agreement.

(d) No seller shall, by any of the foregoing plans, schemes or devices or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or any other consideration whatsoever in addition to the maximum prices established in this order for the sale of any re-roofing materials on an installed basis.

Sec. 12. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

Sec. 13. Licensing. The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 14. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This Order No. G-11 shall become effective December 17th, 1945.

Issued this 7th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22771; Filed, Dec. 19, 1945; 4:33 p. m.]

[Region VII Rev. Order G-13 Under 18 (c),
Amdt. 3]

FIREWOOD IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set

forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Paragraph (b) is amended by adding to the proviso contained in subparagraph (6) a new proviso designated (iv) to read as follows:

(iv) In the Helena Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Helena, Montana, the maximum prices for each calendar month of the year, regardless of the suspension provisions contained in Amendment No. 2, shall be as follows:

	Wholesale	Retail
(1) Firewood in 4-foot lengths and over, delivered to buyer, per cord.....	\$8.00	\$10.00
(2) Firewood in 10", 12", 14", and 16" lengths, delivered to buyer, per cord.....	10.00	12.00
(3) Firewood in 12" lengths, delivered to buyer, per rick.....		3.25
(4) Firewood in 16" lengths, delivered to buyer, per rick.....		4.25

2. *Effective date.* This Amendment No. 3 shall become effective on the 10th day of December 1945.

Issued this 7th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22770; Filed, Dec. 19, 1945;
4:39 p. m.]

[Region VII Order G-14 Under SO 94]

SURPLUS BOMB RACKS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-14 is issued.

(a) *What this order does.* This Order No. G-14 establishes a maximum price at the retail level only for component parts of bomb racks duly declared to be a surplus war commodity and more particularly described as follows:

Soft wood, 2½" x 3½" x 5'1½" long, some have a ¾" notch ¾" deep cut in the center on the 3½" side, with a U-shaped piece of ¾" x ½" strap iron 6¼" in length, fastened to the niche by two nails. All made of new material.

(b) *Maximum retail price.* The maximum resale price for the surplus war commodity above described in paragraph (a), when sold to an ultimate consumer or user, shall be 20¢ per piece, f. o. b. the seller's point of shipment or delivered within the seller's customary free delivery area.

(c) *Exempt sales.* All resales of the commodity in question, except sales at retail or sales to exporters, shall be exempt from price control: *Provided*, That every such reseller, prior to delivery, gives his purchaser written notice in any convenient form of the retail maximum price as hereby established and shows upon his invoice of sale or other equivalent document furnished to the buyer such maximum retail price.

(d) *Geographical applicability.* This Order No. G-14 covers the specified war surplus commodity only when the point of shipment or place of delivery is within Region VII, which includes all of the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-14 shall become effective on the 10th day of December 1945.

Issued this 10th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22764; Filed, Dec. 19, 1945;
4:37 p. m.]

[Region VII Order G-15 Under SO 94]

SURPLUS FOLDING CHAIRS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-15 is issued.

(a) *What this order does.* This Order No. G-15 establishes maximum resale prices at the specified levels for folding chairs heretofore duly declared to be a surplus war commodity, when sold by the appropriate government agency for delivery f. o. b. said government agency's storage place in Ogden, Utah, some of which said chairs are of wood construction and some are of steel construction, and all of which have the following size specifications:

Seat 14½" wide and 13½" deep; over-all height 30"; distance from seat to floor 17". These folding chairs are all packed for export shipments in fibre boxes 17¼" long x 13¼" wide and 33½" deep.

(b) *Maximum resale prices at specified levels.* The maximum resale prices for the folding chairs in question, when sold at the levels specified, shall be as follows:

	Per chair
(1) Sales by resellers to retailers, meaning thereby a sale to a reseller who sells direct to the ultimate consumer or user, f. o. b. the seller's shipping point or delivered in his customary free delivery zone.....	\$1.85
(2) Sales by retailers to ultimate consumers or users.....	3.00

(c) *Tagging with or posting maximum prices.* Every retailer, before selling or offering for sale any of the folding chairs in question to an ultimate consumer or user, must tag each chair by any suitable means with its maximum price, substantially as follows: "OPA ceiling price to consumer, \$3.00." If the retailer maintains a regular place of business for the display of merchandise sold at retail, he may, in lieu of tagging each chair as above specified, conspicuously post such OPA ceiling price to consumers on a suitable placard at the place in his business establishment where said chairs are exposed for sale.

(d) *Notice to reseller.* Any person who sells any of the chairs in question to a retailer must notify such retailer, either by a proper endorsement on his invoice or by a separate instrument in writing attached thereto, that the OPA ceiling price of such chairs to consumers is \$3.00 per chair.

(e) *Geographical applicability.* This Order No. G-15 covers sales of the war surplus commodity in question only when made at the specified levels and within Region VII, which includes all of the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-15 shall become effective on the 7th day of December 1945.

Issued this 7th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22765; Filed, Dec. 19, 1945;
4:38 p. m.]

[Region VII Order G-96 Under MPR 188]

HANKS FURNITURE AND BOAT CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-96 is issued.

(a) *What this order does.* This Order No. G-96 establishes maximum prices for four toy items manufactured by T. V.

Hanks, doing business as The Hanks Furniture and Boat Co., of Idaho Falls, Idaho, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-96, the maximum prices for the four toy items named below, manufactured by T. V. Hanks, doing business as The Hanks Furniture and Boat Co., R. F. D. No. 1, Idaho Falls, Idaho, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

Toy items	Model No.	When sold by—		
		Manufacturer to wholesaler or jobber	Manufacturer, wholesaler or jobber to retailer	Any seller to ultimate consumer
(1) Toy dump truck.....	T-2	Each \$1.44	Each \$1.80	Each \$2.93
(2) Toy dump truck.....	T-3	1.92	2.40	3.93
(3) Toy tank.....	T-4	.48	.60	1.09
(4) Toy jeep.....	T-5	.60	.75	1.25

NOTE: (i) The maximum prices as above set forth for sales other than sales to ultimate consumers are subject to a discount of 2% for payment within 10 days from the date of invoice.

(ii) The above prices are for sales f. o. b. shipping point, and include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale and tagging with maximum price at retail level.* When the manufacturer or any other seller makes a first sale under this Order No. G-96 to a person who purchases for resale, other than at the retail level, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale prices as set forth in paragraph (b) above. The manufacturer must attach to each of the articles in question, by any suitable means, a tag or label plainly marked "Maximum price when sold by any seller to an ultimate consumer or user, \$....."

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-96 for sales of the toy items in question at the specified levels supersede all other maximum price regulations.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-96 for resellers are applicable only to sales made within this Region VII, which includes the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the

period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-96 shall become effective on the 10th day of December 1945.

Issued this 10th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-22769; Filed, Dec. 19, 1945; 4:39 p. m.]

[Spokane Order 124B Under MPR 426]

LETTUCE IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Lettuce.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: Carlot to Walla Walla, I. c. l. to Kennewick.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.65 plus \$0.22.

	Per unit of sale	
	Per crate of 60 pounds net	Per pound
(f) Freight charge by Method (d).....	\$1.67	-----
(g) Basing point cost.....	3.25	-----
(h) Protective services.....	.20	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g" and "h").....	4.12	\$0.673

This order shall become effective December 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of December 1945.

HARVEY GUERTIN,
District Director.

[F. R. Doc. 45-22747; Filed, Dec. 19, 1945; 2:52 p. m.]

[Spokane Order 125B Under MPR 426]

LETTUCE IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Lettuce.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation:
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.65.

	Per unit of sale (per crate of 60 pounds)
(f) Freight charge by Method (d).....	\$0.82
(g) Basing point cost.....	3.25
(h) Protective services.....	.20
(i) Maximum price in wholesale receiving point (sum of "f," "g" and "h").....	4.27

This order shall become effective December 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of December 1945.

HARVEY GUERTIN,
District Director.

[F. R. Doc. 45-22749; Filed Dec. 19, 1945; 2:52 p. m.]

[Region II Order G-71 under RMPR 122]

BITUMINOUS COAL IN LAWRENCE COUNTY, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122; it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in "bituminous coal," this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain kinds, sizes and quantities of "bituminous coal" (hereinafter called simply "bituminous") delivered to or at any point in the Commonwealth of Pennsylvania—Coal Area XIV. That area consists of all of Lawrence County except Ellwood City Borough and the Townships of Little Beaver, Big Beaver, Perry, Pulaski and Wayne in the Commonwealth of Pennsylvania.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges and required discounts from which you shall determine the maximum prices for designated kinds, sizes and quantities of bituminous delivered within Coal Area XIV are set forth in Schedule I.

(3) *To what sales this order applies.* If you are a dealer in bituminous, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area XIV, whether or not you are located in Coal Area XIV.

(b) *What this order prohibits*—Regardless of any contract or other obligation, you shall not:

(i) Sell, or in the course of trade or business, buy bituminous of the kinds, sizes and in the quantities set forth in the schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) Refer to Schedule I which contains separate tables of prices for "direct-delivery" sales and "yard sales" of bituminous coal. You will find Schedule I in paragraph (d).

(2) Take the dollars-and-cents figure given in the applicable table of the schedule, for the kind, size and quantity of bituminous coal you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified herein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedule.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Coal Area XIV. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.* For sales of underground mine bituminous coal of the kinds, sizes and in the quantities specified.

Kind and size of coal	Per net ton	Per net ½ ton
<i>District No. 2—Except Mine Index No. 242</i>		
All single screened lump coals 4" and larger (size group 1—price classification "A")	\$7.50	\$4.25
All single screened lump coals with bottom size 2" and smaller, and all double-screened coals with a bottom size 2" and smaller, and top size larger than 2" (including 2" x 6" and 2" x 4" egg) (size groups 3 and 4—price classification "A," "B," and "C")	7.25	4.15
All double screened, nut, pea, and stoker coals with a top size not exceeding 2" (size group 5—price classification "A," "B," and "C")	7.05	4.05
<i>District No. 2—Mine Index No. 242 (Wildwood Mine)</i>		
All single screened 5" lump coals (size group 1—price classification "B")	6.75	3.90
All double-screened egg coals with bottom size larger than 2" including 2" x 3" stove (size group 1—price classification "E")	6.60	3.80
All double-screened nut, pea and stoker coals with a top size not exceeding 2" (size group 6—price classification "D")	6.45	3.75
<i>District No. 4—Seam 6, Subdistrict 1 and District 6, Price Classification "C"</i>		
All single screened lump coals 4" and larger. (Pittsburgh B)	7.80	4.15
All lump coal smaller than 4" but larger than 1½", and all double-screened coal bottom size larger than 1½" but not exceeding 2" (Pittsburgh B)	7.01	4.00

Required discounts. You shall deduct from the prices set forth in Table (1) of this Schedule, 25¢ per net ton where coal can be dumped directly from tail gate without the use of chute to consumers bin or storage space, in lots of 3 tons or more.

Maximum Authorized Service Charges

"Carry" or "Wheel"----- 50¢ per net ton.
25¢ per net ½ ton.
50¢ per net ton.
25¢ per net ½ ton.

Carrying upstairs or downstairs (for each full flight above or below the ground floor). This charge shall be in addition to any charge for "Carry" or "Wheel".
For deliveries involving hauling beyond five miles from the dealer's yard. 25¢ per net ton for each three miles or fraction thereof beyond 5 miles from the dealer's yard.

For deliveries in units of less than two tons. 25¢ per net ton.

(2) *"Yard sales".* For sales of underground mine bituminous coal of the kinds, sizes and in the quantities specified.

Kind and size of coal	Per net ton	Per 100 pounds (for sales of 100 pounds or more, but less than ¾ ton)
<i>District No. 2—Except Mine Index No. 242</i>		
All single screened lump coals 4" and larger (size group 1—price classification "A")	\$0.40	\$0.40
All single screened lump coals with bottom size 2" and smaller, and all double-screened coals with a bottom size of 2" and smaller, and top size larger than 2" (including 2" x 6" and 2" x 4" egg) (size groups 3 and 4—price classification "A," "B," and "C")	6.15	.40
All double-screened nut, pea and stoker coals with a top size not exceeding 2" (size group 5—price classification "A," "B," and "C")	5.95	.35
<i>District No. 2—Mine Index No. 242 (Wildwood Mine)</i>		
All single screened 5" lump coals (size group 1—price classification "B")	5.50	.35
All double-screened egg coals with bottom size larger than 2" including 2" x 3" stove (size group 1—price classification "E")	5.35	.35
All double-screened nut, pea and stoker coals with a top size not exceeding 2" (size group 6—price classification "D")	5.20	.35
<i>District No. 4—Seam 6, Subdistrict 1 and District No. 6—price classification "C"</i>		
All single screened lump coals 4" and larger (Pittsburgh B)	6.20	.40
All lump coal smaller than 4" but larger than 1½", and all double-screened coal bottom size larger than 1½" but not exceeding 2" (Pittsburgh B)	6.01	.35

(3) *Addition for oil or chemical treatment of bituminous coal.* Notwithstanding other provisions of this order, if you are a dealer charged a price for oil or chemical treatment of bituminous coal, you may, on sales of such treated coal, add to the maximum prices set by this order, the treatment charge made by your supplier, provided that this charge does not exceed 10¢ per net ton. This treatment charge may be added only if the treated coal is kept separate and not mixed with other untreated coal. You need not separately state the amounts of this treatment charge if you clearly indicated on the invoice that the coal is

so treated. Provisions of this paragraph shall not apply to sales of solid fuel in less than $\frac{1}{4}$ ton lots unless requested by the purchaser.

(e) *Commingleing*. If one size or kind of bituminous coal is sold commingled with another size or kind of bituminous coal, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or for the least expensive kind so commingled, whichever is lower, except in the following situation: Where a purchaser requests that two or more sizes or kinds of bituminous coal be commingled in one delivery, then, and in that event, if those sizes and kinds are separately weighed at the point of loading, the dealer may commingle those sizes and kinds in the truck or other vehicle, in which the delivery is made. The price for solid fuel so commingled shall be calculated on the basis of the applicable per net ton price for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(f) *Ex parte 148, freight rate increase*. Since the Ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December, 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in supplier's maximum prices prohibited*. You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(h) *Taxes*. If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the Commonwealth of Pennsylvania or any political subdivision thereof, you need not state this tax separately.

(i) *Adjustable pricing*. You may not make a price adjustable to the maximum price which will be in effect at some time after delivery of the bituminous coal has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment*. Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation*. The Regional Administrator of the Price Administrator may amend, revoke or rescind this order, or any provision thereof at any time.

(l) *Applicability of other regulations*. If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records*. If you are a dealer subject to this order, you shall preserve, keep and make available for examination by the Office of Price Administration a record of every sale of bituminous coal hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices: sales slips and receipts*. (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in Schedule 1 of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size and quantity of solid fuel sold to him, the date of the sale of delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from and the authorized service charges and taxes which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser.

(o) *Enforcement*. (1) Persons violating any provision of this order are subject to civil and criminal penalties, including units for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Pittsburgh District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations*. When used in this Order No. G-71, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Sell" includes, sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchaser", and "purchase" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Bituminous coal producer" means a person engaged in the business of mining bituminous coal or preparing bituminous coal at a preparation plant which is an adjunct of a mine, or mines, and any person acting as an agent of a producer in the sale of bituminous coal.

(5) "Direct delivery" means delivery to buyer's bin or other storage space designated by buyer, or to the point nearest and most accessible to the buyer's bin or storage at which the coal can be discharged directly from the seller's truck.

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(8) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(9) All designations in this order of sizes, classifications, etc., applicable to bituminous coal, refer to the sizes, classifications, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of Interior, as in effect, midnight, August 23, 1943.

(10) "Underground mine coal" means coal that is taken entirely from underground seams from which the overburden is not removed, and does not include coal from a mine which takes coal from the ground by the stripping method, except that, for purposes of this order, underground mine coal shall include coal from strip mines that has been especially prepared and for which the producer has been authorized to charge the maximum prices for underground mine coal.

(11) Except as otherwise provided herein or as the context may otherwise

require, the definitions set forth in § 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, shall apply to terms used herein.

(q) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable, this order supersedes Revised Maximum Price Regulation No. 122.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-71 shall become effective December 17, 1945.

(56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9599, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 45-22821; Filed, Dec. 20, 1945; 4:35 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 11, 1945.

REGION I

Boston Order 1, Amendment 2, covering dry groceries in Massachusetts except Dukes and Nantucket counties. Filed 9:37 a. m.

Boston Order 2-W, Amendment 2, covering dry groceries in Massachusetts except Dukes and Nantucket counties. Filed 9:37 a. m.

Concord Order 9-F, Amendment 23, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover, Portsmouth. Filed 9:29 a. m.

New England Order 7-F, Amendment 30, covering fresh fruits and vegetables in the Boston area. Filed 9:35 a. m.

New England Order 7-F, Amendment 31, covering fresh fruits and vegetables in the Boston area. Filed 9:35 a. m.

New England Order 8-F, Amendment 27, covering fresh fruits and vegetables in certain Defined areas in Massachusetts. Filed 9:35 a. m.

New England Order 8-F, Amendment 28, covering fresh fruits and vegetables in certain Defined areas in Massachusetts. Filed 9:35 a. m.

New England Order 9-F, Amendments 28 and 29, covering fresh fruits and vegetables in certain Defined areas in Massachusetts. Filed 9:36 a. m.

New England Order 10-F, Amendment 27, covering fresh fruits and vegetables in certain Defined areas in Massachusetts. Filed 9:36 a. m.

New England Order 11-F, Amendment 27, covering fresh fruits and vegetables in certain Defined areas in Massachusetts. Filed 9:36 a. m.

New England Order 11-F, Amendment 28, covering fresh fruits and vegetables in certain Defined areas in Massachusetts. Filed 9:36 a. m.

New England Order 13-F, Amendment 9, covering fresh fruits and vegetables in the Brockton area. Filed 9:36 a. m.

New England Order 13-F, Amendment 10, covering fresh fruits and vegetables in the Brockton area. Filed 9:37 a. m.

REGION II

Albany Order 11-F, Amendment 6, covering fresh fruits and vegetables in certain

counties in New York except the cities of Albany, Cohoes, Rensselaer, Schenectady, Troy and Watervliet and the town of Green Island. Filed 9:30 a. m.

Albany Order 12-F, Amendment 6, covering fresh fruits and vegetables in the counties of Clinton, Essex, Franklin and Hamilton. Filed 9:30 a. m.

Scranton Order 4-F, Amendment 52, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:30 a. m.

REGION III

Cleveland Order 6-F, Amendment 1, covering fresh fruits and vegetables in Cuyahoga county, Ohio. Filed 9:31 a. m.

Cleveland Order 6-F, Amendment 2, covering fresh fruits and vegetables in Cuyahoga county, Ohio. Filed 9:31 a. m.

Cleveland Order 7-F, Amendments 1 and 2, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:30 a. m.

REGION IV

Charlotte Order 4-C, covering poultry sold by groups 3 and 4 stores in the Charlotte District area. Filed 9:31 a. m.

Roanoke Orders 3-C and 4-C, Amendment 2, covering poultry in certain counties, cities, municipalities and towns in Virginia. Filed 9:32 a. m.

Columbia Orders 23-C and 24-C, Amendment 1, covering poultry sold by Groups 1 and 2 and 3 and 4 stores in the South Carolina area. Filed 9:32 a. m.

Columbia Orders 25-C and 26-C, Amendment 1, covering poultry sold by Groups 1 and 2 and 3 and 4 stores in the South Carolina area. Filed 9:33 a. m.

Charlotte Order 1-D and 2-D, covering butter sold by Groups 1 and 2 stores in the Charlotte area. Filed 9:31 a. m.

Savannah Order 15-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Georgia. Filed 9:32 a. m.

REGION V

Little Rock Order 9-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 9:29 a. m.

Little Rock Order 10-F, Amendment 21, covering fresh fruits and vegetables in Garland county, Arkansas. Filed 9:29 a. m.

Little Rock Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 9:29 a. m.

Little Rock Order 13-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Arkansas and Bowie county, Texas. Filed 9:29 a. m.

Little Rock Order 14-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 9:29 a. m.

Little Rock Order 15-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 9:29 a. m.

REGION VI

Chicago Order 2-F, Amendment 90, covering fresh fruits and vegetables in Cook, Du Page, Kane, Lake, McHenry counties, Illinois and Lake county Indiana. Filed 9:37 a. m.

Des Moines Order 1-O, Amendment 7, covering eggs in the cities of Des Moines, West Des Moines and Marshalltown, Iowa. Filed 9:33 a. m.

Des Moines Order 2-O, Amendment 3, covering eggs in Sioux City and Council Bluffs area. Filed 9:33 a. m.

Des Moines Order 3-O, Amendment 3, covering eggs in Fort Dodge and Mason City area. Filed 9:34 a. m.

Des Moines Order 4-O, Amendment 3, covering fresh fruits and vegetables in Dubuque, Waterloo, Cedar Rapids, Clinton, Davenport, Burlington and Ottumwa area. Filed 9:34 a. m.

Milwaukee Order 8-F, Amendment 33, covering fresh fruits and vegetables in Dane county, Wisconsin. Filed 9:34 a. m.

Omaha Order 14-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 9:35 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-22763; Filed, Dec. 19, 1945; 4:37 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2916]

INTERSTATE HOME EQUIPMENT CO., INC.

ORDER SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of December, A. D. 1945.

In the matter of trading on the New York Curb Exchange and the Chicago Board of Trade in the Common Stock, \$1 Par Value, of Interstate Home Equipment Co., Inc.; File No. 1-2916.

The Commission, by order adopted on November 20, 1945, pursuant to section 19 (a) (4), having summarily suspended trading in the Common Stock, \$1 Par Value, of Interstate Home Equipment Co., Inc. on the New York Curb Exchange and the Chicago Board of Trade for a period of ten days in order to prevent fraudulent, deceptive, or manipulative acts or practices, and said security having been similarly suspended from trading on said exchanges for additional periods of ten days by orders adopted on November 29 and December 7, 1945;

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such exchanges and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in such security be summarily suspended on the New York Curb Exchange and the Chicago Board of Trade in order to prevent fraudulent, deceptive, or manipulative acts or practices, this order to be effective until 10:00 a. m. Eastern Standard Time on December 26, 1945.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-22807; Filed, Dec. 20, 1945; 2:59 p. m.]

[File Nos. 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of December, A. D., 1945.

In the matters of Consolidated Electric and Gas Company, Applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, Respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54-53; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Respondents, File No. 59-49.

Applications pursuant to section 11 (e) of the Public Utility Holding Company Act of 1933 having been filed with this Commission by Consolidated Electric and Gas Company ("Consolidated"), a registered holding company (File No. 54-40), and by Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, Voting Trustees under voting trust agreement dated August 1, 1932 ("Voting Trustees"), also a registered holding company (File No. 54-53); and

Proceedings having been instituted by this Commission pursuant to section 11 (b) of the act with respect to Consolidated and Central Public Utility Corporation ("Central Public"), also a registered holding company (File No. 59-40), and with respect to the Voting Trustees (File No. 59-49); and

Said proceedings having been duly consolidated by orders of this Commission, and the hearings herein having been duly postponed by orders of this Commission until December 18, 1945; and

Consolidated having requested that the hearing herein be further postponed to a date not earlier than April 18, 1946, stating in such request, among other things, that with this Commission's approval it has effected a bank loan of \$14,500,000; the proceeds of which together with treasury cash are being used by Consolidated to redeem and retire as of January 1, 1946, all of its Collateral Trust Bonds; and that at the present time Consolidated is actively engaged in negotiations looking toward the sales of certain of its subsidiaries whose proceeds, when consummated, will provide Consolidated with sufficient cash, and will be used to repay the bank loan, in which event Consolidated will have extinguished all of its debt securities thus simplifying its corporate structure; and

The Commission deeming it appropriate under the circumstances that the hearing directed to be held herein on December 18, 1945, be further postponed;

It is ordered, That the hearing in this matter previously scheduled for December 18, 1945, at 10:00 a. m., e. s. t., at the

No. 250—4

offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to April 18, 1946, at the same hour and place and before the same trial examiner as heretofore designated;

It is further ordered, That the time within which any person, other than parties to said proceedings, desiring to be heard or otherwise wishing to participate in said proceedings should file a request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's Rules of Practice, be, and the same hereby is, extended to April 15, 1946.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 45-22803; Filed, Dec. 20, 1945;
2:59 p. m.]

[File No. 70-1184]

CENTRAL NEW YORK POWER CORP.

ORDER GRANTING APPLICATION, PERMITTING
DECLARATION TO BECOME EFFECTIVE AND
MODIFYING PREVIOUS ORDERS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of December 1945.

Central New York Power Corporation, a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company, having filed an application and declaration under sections 6 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 regarding the exemption from the provisions of section 6 (a) thereof of the issuance and sale to Guaranty Trust Company of New York of a promissory note in an aggregate principal amount not to exceed \$1,900,000 bearing interest at 1½% per annum; and the purchase in the open market on or before December 31, 1945, with the proceeds of such note and other company funds of all or part of the \$1,901,000 principal amount of the company's outstanding assumed non-callable Syracuse Lighting Company Fifty-Year Five Per Cent Bonds, due June 1, 1951, at a maximum price of 123% of the principal amount thereof plus accrued interest, the bonds so acquired to be cancelled; and the company having requested that the consent granted herein nullify the prior authorizations granted by this Commission with respect to the purchase of said Syracuse Lighting Company bonds at 121% of the principal amount thereof; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application and declaration be, and the same hereby are, granted and permitted to become effective, respectively, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the authorizations previously granted by this

Commission by order dated April 23, 1945 (Holding Company Act Release No. 5753), as modified by orders dated June 6, 1945 and October 12, 1945, (Holding Company Act Release Nos. 5852 and 6130) insofar as such Orders relate to the purchase in the open market within one year from the date thereof of Syracuse Lighting Company Fifty-Year Five Per Cent Bonds, due June 1, 1951, at a maximum price of 121% of the principal amount thereof, be, and the same hereby are, nullified.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 45-22833; Filed, Dec. 20, 1945;
2:59 p. m.]

[File No. 70-1193]

WEST PENN SECURITIES DEPT., INC.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of December, A. D., 1945.

In the Matter of West Penn Securities Department, Inc., West Penn Power Company, The West Penn Electric Company, File No. 70-1199.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The West Penn Electric Company ("Electric"), a registered holding company and a subsidiary of American Water Works and Electric Company, Inc. ("American"), also a registered holding company, by West Penn Securities Department, Inc. ("Securities"), a nonutility subsidiary of Electric, and by West Penn Power Company ("Power"), a registered holding company, an electric utility company and a subsidiary of Electric.

Notice is further given that any interested person may not later than the 29th day of December, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such filing, stating the reasons for the request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter said joint application-declaration, as filed or as amended, may be approved or may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

Securities proposes to sell and Power proposes to acquire for a cash consideration of \$850,000 certain office buildings, land, office furniture and equipment, and building equipment located in Pitts-

burgh, Pennsylvania. The property being sold includes four contiguous parcels of land on two of which office buildings are located. The other parcels of land are located in the rear of the office buildings and are presently being used by non-affiliated interests for parking purposes. Substantially all of the space in the office buildings is presently used by Power as its general and principal offices.

Following the consummation of such sale, Securities proposes to liquidate and, after paying or making provision for the payment of its debts, to distribute its assets to Electric, the owner of all of the capital stock and all of the long-term indebtedness of Securities. Among the assets of Securities are 94 shares of 6% Cumulative Preferred Stock of Electric, which Electric proposes to acquire. As a step in the liquidation, Securities will receive from Electric, for cancellation and retirement, all of the capital stock of Securities now owned by Electric.

It is proposed that the sale and acquisition of physical properties will be consummated prior to the close of the current calendar year, and that the liquidation of Securities and related transactions will be consummated prior to December 1, 1946.

The joint application-declaration is submitted pursuant to sections 9 (a), 10, 12 (c), 12 (f) and 12 (g) of the act and Rules U-42, U-43 and U-46.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-22810; Filed, Dec. 20, 1945;
2:59 p. m.]

[File Nos. 70-1183, 31-534, 31-535]

MAINE PUBLIC SERVICE CO. ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of December, A. D. 1945.

In the Matters of Maine Public Service Company, Consolidated Electric and Gas Company, File No. 70-1183; Maine Public Service Company, File No. 31-534; Maine and New Brunswick Electrical Power Company, Limited; File No. 31-535.

Maine Public Service Company ("Maine"), a registered holding company and an electric utility subsidiary company of Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, having made a joint filing together with Consolidated and Maine and New Brunswick Electrical Power Company, Limited ("New Brunswick"), an electric utility subsidiary of Maine, pursuant to the Public Utility Holding Company Act of 1935 regarding, among other things, the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$2,200,000 principal amount of first mortgage and collateral trust bonds due October 1, 1975, the price to Maine and

the interest rate for such securities to be fixed by competitive bidding;

The Commission having by Order entered herein, under date of December 10, 1945, granted and permitted effectiveness to the application-declaration, as amended, regarding the issuance and sale of the aforesaid bonds subject, however, among other things, to the condition that the proposed issuance and sale should not be consummated until the results of competitive bidding held pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order entered by this Commission in the light of the record so completed; Maine now having filed an amendment to its application-declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids, separate bids were received as follows:

Underwriters	Percent of principal amount	Coupon rate	Cost to Maine
		Percent	
Bear Stearns & Co.	100.281	2 7/8	2.86093
White, Weld & Co.	100.079	2 7/8	2.87105
The First Boston Corp.	100.079	2 7/8	2.87105
Salomon Bros. & Hutzler	101.14	3	2.94253
Halsey, Stuart & Co., Inc.	100.069	3	2.99650

It further appearing that Maine has accepted the bid of Bear Stearns & Co.; that the bonds are to be resold to the public to the extent of \$1,200,000 at 101.25% of principal amount thereof plus accrued interest from October 1, 1945 to the date of delivery representing a spread to the underwriters of 0.969% on said bonds (the balance of \$1,000,000 to be sold to Massachusetts Mutual Life Insurance Company at 100.5% of par, the latter company to pay 10/22nds of the \$7,000 fee of counsel to the underwriters);

It is ordered, That said application-declaration, as amended, be and the same hereby is granted and permitted to become effective forthwith subject to the terms and conditions prescribed by Rule U-24;

It is further ordered, That jurisdiction heretofore reserved with respect to the payment of any and all legal fees and expenses incurred in connection with the consummation of the proposed transaction be, and hereby is, continued until further order of this Commission herein.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-22811; Filed, Dec. 20, 1945;
3:00 p. m.]

[File No. 52-22]

ASSOCIATED GAS AND ELECTRIC CORP.
ORDER APPROVING POST-EFFECTIVE AMENDMENT TO PLAN AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of December, 1945.

In the Matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, File No. 52-22.

Stanley Clarke, Trustee of Associated Gas and Electric Company ("Ageco"), a registered holding company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company, having heretofore jointly filed an application pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 ("Act"), for approval of a plan, as amended, for the reorganization of said companies under said section of the act and Chapter X of the Bankruptcy Act; and

The Commission having, on April 14, 1944, entered its findings and opinion and order (Holding Company Act Release No. 4985) approving such plan, as amended, subject, among other things, to the reservation of jurisdiction with respect to the new senior debt of the surviving company to emerge from reorganization of Ageco and Agecorp; and

A post-effective amendment to said plan having now been filed wherein it is proposed that the plan be amended so as to (a) decrease the authorized principal amount of new senior debt from \$8,000,000 to \$6,000,000, (b) decrease the estimated principal amount of such new senior debt to be outstanding upon consummation of the plan from \$7,500,000 to \$6,000,000, (c) provide the terms of the new senior debt whereby General Public Utilities Corporation (the surviving company to emerge from the reorganization) will issue unsecured 1 1/2% serial promissory notes in the aggregate principal amount of \$6,000,000, which will mature in five years and will be amortized over said five-year period in equal annual installments; and

The Commission having considered such post-effective amendment to the plan and deeming it appropriate in the public interest and the interest of investors and consumers to approve and permit said amendment to become effective and to release the jurisdiction heretofore reserved with respect to the new senior debt to be issued by the surviving company;

It is hereby ordered, That said post-effective amendment be, and hereby is, approved and permitted to become effective and that jurisdiction with respect to the new senior debt of the surviving company be, and hereby is, released by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-22812; Filed, Dec. 20, 1945;
3:00 p. m.]

[File No. 70-1192],

BROCKTON EDISON CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of December 1945.

Brockton Edison Company ("Brockton"), a subsidiary of Eastern Utilities Associates, a registered holding company, having filed an application and declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder regarding the proposed issuance by Brockton to The Chase National Bank of the City of New York of a promissory note in the principal amount of \$1,900,000 bearing interest at the rate of 2½% per annum, payable semi-annually, due ten years after date of issuance, to reflect a loan of \$1,900,000; the purpose of the borrowing being to provide funds (together with other available cash of the company) to retire all of Brockton's presently outstanding Series A, 3%, notes in

the principal amount of \$1,900,000, due July 1, 1952, at the applicable call price of 102 plus accrued interest; and

Said application and declaration having been filed on November 21, 1945, and having been amended on November 30, 1945 and notice of said filing having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application and declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicant-declarant having requested that the Commission advance the effective date of said application and declaration, and the Commission

observing no basis for adverse findings under any applicable section of the act or rules promulgated thereunder, and deeming it appropriate to grant the applicant's-declarant's request for an acceleration:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the aforesaid application, as amended, be, and hereby is, granted and the aforesaid declaration, as amended, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-22313; Filed, Dec. 20, 1945;
3:00 p. m.]

